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ABSTRACT

This publication of the Association of Puerto Rican Executive Directors (APRED) presents recommendations for action by the New York State legislature to improve opportunities and services for the Puerto Rican and Latino community. The agenda for legislative action, produced by the APRED Legislative Task Force, calls for the integration of the community in the social, economic, and political mainstream of the state. The report is prefaced by a director's message and an introduction. The main body of the report is divided into three sections. Following an agenda preface, section I presents policy statements, background, and recommendations for legislative action on the following issues relating to the Puerto Rican/Latino community: (1) AIDS; (2) children and families; (3) criminal justice; (4) education; (5) economic development; (6) elderly; (7) health/mental health; (8) higher education; (9) housing; (10) income security; (11) institutional and community development; (12) racial justice; and (13) substance abuse. Section II offers APRED's position on state revenues; it presents a policy and background statement and proposes the following recommendations: (1) restoring the personal income tax progressivity; (2) broadening the corporate business tax base; and (3) postponing a state tax cut. Section III includes a partial listing of APRED Legislative Task Force participants and contributors, and a 72-item bibliography. (AF)

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A Call To Action III

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DIRECTOR'S MESSAGE

A Call to Action III represents an evolution in the political consciousness of New York's Puerto Rican/Latino community. This Agenda is clear in its conviction: "La hora es propicia," the time is right, for our community's full social, economic and political integration into the mainstream of the Empire State.

For the past nine decades, Puerto Ricans have been a vital force in New York's history and development. Notwithstanding our political and economic marginalization, Puerto Ricans and Latinos have made significant contributions and have made many sacrifices in times of great need.

Today, however, Puerto Ricans face an ominous challenge. The toll in human suffering has reached intolerable levels and is graphically depicted in the streets, schools, hospitals, and jails of New York. Our most pressing struggles--a failing educational system, drug and alcohol abuse, AIDS, and homelessness, to name but a few, compels us to jump forward and shake government, so that it may realize the true fallacy of a public policy that continues to pay over $140,000 to keep a young Puerto Rican in a detention facility like Spofford, but can only gives a mother $6,450.00 a year to support herself and two children in New York City.

The nature of government rests on the premise that it is all of the people and their collective will, that should determine sound public policy. Unfortunately, for the Puerto Rican/Latino community, the existence of this social compact has been negligible. But all of this must change. The maldistribution of resources, the lack of access to services as well as opportunities for growth, cannot be tolerated. There must be a fundamental transformation in government, so that it may see its greater role and responsibility in the elimination of poverty and human suffering. The rich will always find ways of getting richer, even without the help of government. But for the poor who have long been victims of institutional racism and neglect, government must come forward to make restitution, and do so because it will be in its best interest.

Governor Cuomo has an enormous responsibility to bare as this state stands at the threshold of the 21st century. For Puerto Ricans and Latinos the question remains, will we enter shoulder to shoulder or will we be left behind. As a community we have evolved to a level of articulating our concerns and wants in the spirit of full partnership. We expect therefore, that policies, programs, and reforms that will impact our community manifest the result of our input and that partnership.

Elizabeth Colón
Executive Director
Association of Puerto Rican Executive Directors (APRED)

INTRODUCTION

As Chairperson of the Association of Puerto Rican Executive Directors (APRED), it is with great pride that I present to the Puerto Rican and Latino community, the Governor, the State Legislature, the State Agencies, and all the "Family of New York," APRED's third comprehensive Puerto Rican/Latino Legislative Agenda.

APRED, as a major consortium of chief executives of leading Puerto Rican/Latino human service and community development organizations in New York, has moved aggressively to provide that leadership a collective means to articulate Puerto Rican values, interests, and needs. This growing and significant APRED network, has institutionalized an annual process for coming together to develop joint policy and recommendations as well as joint action and advocacy strategies.

The APRED Legislative Task Force, which I preside, is composed of nine Issue Groups each headed by an APRED Trustee or invited community leader. Each Issue Group Leader brought together, over the summer and fall months, our community's leading experts, practitioners, and advocates in each of the issues, to discuss concerns and identify service gaps as well as develop legislative recommendations, many of which are part of this Agenda. I would like to thank the over 125 individuals who participated in the Issue Group deliberations giving so much of their knowledge and wisdom in the process.

But we are not finished. The challenge before the APRED Legislative Task Force Leadership and Network, is to advance the fine recommendations in this Agenda, forcefully and convincingly before the Governor and the State Legislature. APRED and its leadership will be in Albany constantly to work closely with other advocacy groups, the Legislature, the Black and Puerto Rican Caucus, the Assembly Puerto Rican/Hispanic Task Force, the Legislature and its Leaders, as well as the Governor, to represent our collective voice and make sure that Puerto Rican/Latino concerns are heard and positively responded to.

The APRED Agenda is ambitious, however, our community's needs are great. With the support of our community, and in coalition with other progressive advocacy organizations, APRED expects to realize significant accomplishment. We offer our hand in the spirit of full partnership with government to share our strong commitment to the advancement of the Puerto Rican/Latino community, now, and in the years to come.

Felix Velazquez
Chairperson
Association of Puerto Rican Executive Directors (APRED)

APRED dedicates its 1989/90 Legislative Agenda To the Memory of Dora Collazo-Levy

Dora's philosophy and belief in the power of education and self-determination led her to dare to challenge herself and others beyond the oppressive boundaries of racist thinking. Dora's visionary thrust sparked respect, and gave value to the concept of comprehensive service delivery in educational programming that was not only child focused and family centered, but went beyond traditional piece meal approaches based on a deficit model. Dora created **Project Great**, a model for a continuum of educational family support services for children from pre-kindergarten through high school graduation. Dora was revolutionary in her educational concepts and practice. Dora believed that Puerto Ricans and Latinos, and other children and families of color, would excel if provided a comprehensive support network to progressively reinforce educational success. Dora's first **Project Great** class will graduate in the year 2000. This last September the class of 2001 started its **Project Great** journey. Dora was a role model for the Puerto Rican woman of the 90's. She will be missed by us all, but her leadership and spirit will guide us.

Dora Collazo-Levy was born in Ponce, Puerto Rico. She lived in Loisaida (The Lower East Side) where she was the Executive Director of Loisaida Economic Development Corporation. Dora was a member and Trustee of the Association of Puerto Rican Executive Directors.

AGENDA PREFACE

The "Decade of the Child" has raised significant consciousness regarding the needs of the children and families in this state. Liberty Scholarships guarantee light at the end of the tunnel for those children who are able to survive the struggle for self-identity, and the war against the streets. There are many more initiatives and programs that seem to start to piece together a strategy to improve the condition of the poor, predominantly Latino and African American communities in this state. Now it is incumbent upon us to make sure that a comprehensive, rather than a disparate strategy, takes the form that will foster our community's development

The APRED Legislative Task Force Process beyond yielding the substance of this Agenda, crystallized for APRED the message that it must take to the Legislature. Our theme, in this Agenda for the 90's, is the full integration and participation of Puerto Rican/Latino community in the social, economic and political mainstream of this state.

Our community wants government's help to build its organizational infrastructure, and in turn our neighborhoods. Our community wants to become self-sufficient and prosperous. Government, however, must take an active role in the provision of economic opportunity for our people. Latinos must be part of the process which assesses needs and allocates resources that advance comprehensive community development. We cannot accept a piecemeal approach to ensuring our future. We must be clear in what we think government must do to increase the quality of life for our people. Without such input, the schism that exists between our community and government will intensify.

New York State cannot afford to write off an entire community and face the dangers that would result from the loss in human and economic productivity that an ever growing and vibrant Puerto Rican/Latino community can, and is ready to offer.

Organized policy development and legislative advocacy efforts like this one, is a new strategy for our community. This process has helped us conceptualize the issues and communicate concerns more confidently and effectively. The APRED Agenda is comprehensive and takes responsibility for expressing the level of commitment and partnership that we want from the state. From Family Policy, Service Gap and Revolving Loan Funding, to Entrepreneurial Development, School Board Reform, and Leadership Development, APRED puts forth its plan for change to promote our community's development for the years to come.

Felix Velazquez
Chairperson
Legislative Task Force

AIDS

This section is dedicated to the memory of Dr. Rafael Tavares, MD who was a distinguished leader and committed activist in the National struggle to confront the AIDS epidemic and its impact on the Latino community.

"AIDS is the leading killer of Hispanic men and women in New York City between the ages of 25-44, and is the third leading cause of death among hispanics of any age in New York City."

POLICY STATEMENT

The epidemic of Acquired Immune Deficiency Syndrome (AIDS) has reached devastating proportions in the Latino community. The unabated spread of the Human Immune Deficiency Virus (HIV) which causes AIDS, presents a clear threat to the very survival of our people. The AIDS epidemic demands a massive response from both government and private sectors in this state. However, efforts so far raise fundamental questions as to the real extent of their respective responses.

APRED opposes policies that promote mandatory HIV testing, as they increase the potential for stigmatization and discrimination against AIDS diagnosed and HIV positive men, women, and children. The notion that mandatory testing bears a causal relationship to the prevention of AIDS is erroneous. Where the relationship between testing and risk reduction has been monitored, it has been demonstrated to correlate with increased suicide attempts and sometimes psychotic behavior in the absence of pre-test and ongoing post-test counseling conducted by qualified personnel. It has not been shown to be of any significant value in reducing risk to the person tested or to others. Efforts and resources must focus on preventing the spread of the disease through major education campaigns, programs, and the continuation of diligent efforts in medical and scientific research for effective treatment and cure.

APRED believes that preventive efforts, specifically targeting segments of the Puerto Rican/Latino community at risk, such as, intravenous drug users, men, women, and youth, must focus on education through the use of culturally appropriate materials available both in English and Spanish. Moreover, education must be coupled with the provision of comprehensive treatment and health care for those that are at risk of infection as well as for those infected and those diagnosed with AIDS. A comprehensive health plan must be available to all persons with HIV-related illness. The plan must include pre and post diagnosis counselling and referral to ancillary services such as intermediate care, housing, home care, employment, mental health, and programs to serve the needs of their families and significant others.

BACKGROUND

Acquired Immune Deficiency Syndrome (AIDS) is one of the most serious and complex health problems facing the Puerto Rican/Latino community. In New York City, AIDS is the leading cause of death for Latino men and women between the ages of 25 and 44. According to the New York City AIDS Surveillance Report, dated December, 1988, thirty four (34%) percent of all AIDS pediatric cases are Latino. National statistics indicate that while 20% of the total population is composed of African-Americans, Latinos, and other minorities, 40% of all AIDS cases have occurred in these groups. While Puerto Rican/Latinos comprise 20% of New York City's population, they represent 26% of the city's adult AIDS cases. Similarly, 25% of all men with AIDS cases Latinos. Of the 3,713 Latino men with AIDS, 95% were intravenous drug users, homosexual and bisexual men, or men engaged in both behaviors.

Projections by New York State health officials indicate, that notwithstanding efforts at education, there continues to be a steady increase in the numbers of AIDS cases in the state. The cumulative AIDS caseload is projected to increase more than four times, from 20,000 currently, to 90,500 by the end of 1994. In the same period, it is expected that the statewide AIDS death toll will increase sevenfold from a cumulative total of 10,000 deaths now to 71,000 in 1994. By 1994, 18,500 Puerto Rican/Latinos may have died of AIDS if the present 26% representation of Latinos among people with AIDS continues. The HIV virus can potentially be transmitted to anyone: white, African-American, Latino, rich, poor, young, old, gay, straight. This epidemic does not discriminate in its infliction of pain and death. While transmission of the disease is dictated by specific high risk behavior, there are factors which can accelerate the progression of the disease, such as, poverty and substance abuse. The spread of AIDS in poor communities is exacerbated by limited access to health care, poor nutrition, and the multiple stresses of poverty that create the conditions for this disease of oppression.

Sharing of contaminated needle syringes is a common practice of those involved in intravenous drug use. The incidence of AIDS related to drug abuse is 36 percent in the Latino community, compared with a 4% rate in the white community. In New York City, 53% of all AIDS related deaths were associated with IV drug use. There is an extremely high rate of infection among intravenous drug addicts in New York City, with some estimates as high as 60% of the approximately 200,000 drug users.

Faced with the reality of a rampant and incurable disease, the best prevention for this population at risk is education, specifically, as to risk exposure and transmission of the virus. Educational efforts that are culturally and linguistically appropriate must be created and implemented in communities that are currently underserved. Educational materials must be culturally sensitive and must consider cultural patterns related to sexuality, drug use, health care, the estimated size of the population at higher risk and the existing community leadership and infrastructure.

While education and information are effective means of controlling the spread of AIDS, it is incumbent on state and local government to provide treatment and support services for substance abusers and their families. While government boasts of a " war on drugs", funding for law enforcement is what becomes preeminently available rather than resources to treat intravenous drug users. The limited access to detoxification units, further intensifies the inability of those in need to receive care. Treatment would have to be expanded tenfold to accommodate the number of drug abusers. In 1987, New York City had only 29,400 methadone maintenance treatment slots for the estimated 200,000 IV drug users. (See Section on Substance Abuse)

Both the Center for Disease Control and the United States Surgeon General have identified teenagers as the next population of highest risk of AIDS infection. Approximately 30 adolescents were diagnosed with AIDS in New York City in 1987. This figure can be expected to increase due to teenagers' risk taking behavior and their inclination to experiment. Precautions must be taken to assure confidentiality, and increase the level of peer counselling and education to this population.

Pediatric AIDS is disproportionately present in non-white children. According to the New York City AIDS Surveillance Report for December, 1988, there were a total of 391 cases of pediatric AIDS reported to the Department of Health. The report indicates that 34% of the children diagnosed with AIDS are Latino. Pediatricians estimate that there are three (3) to five (5) children with AIDS Related Complex (ARC) for every child diagnosed with AIDS. Approximately 70% of infected individuals die within two years of diagnosis. In 1985, AIDS became the fifth leading cause of death for children aged one (1) through four (4).

Providing appropriate care to children with ARC or AIDS is a pressing concern. Efforts must be made to accurately diagnose children. Therefore restrictions must be placed on when children can be tested for HIV antibodies. Testing should be allowed only when children exhibit clinical and epidemiological traits suggestive of HIV infection. Policies should reflect the treatment needs of children as well as current medical knowledge.

Minority women constitute the overwhelming majority of all women with AIDS. As of June 1988, 71% of all women with AIDS were minority women (52% African-American, 19% Latina). In recognition of the caretaking role of women in the Puerto Rican/ Latino community, residential treatment programs must be made available for the female parent with AIDS, who is homeless, with supportive services offered to both the parent and the child. The Child Welfare System must establish and expand already existing programs that treat AIDS mothers and their babies. Programs must be comprehensive in offering medical, social, psychological, and legal services to the custodial parent. In the event of the death of the custodial parent, stable, kinship foster care must be provided for the child. Family linkages and bonds must not be irreparably severed on the death of the parent.

According to a Correctional Association Study entitled AIDS in Prison: A Crisis in New York State Corrections, the New York State prison system houses more inmates with AIDS than

any other state. It is estimated that approximately 60-70% of all state inmates have a history of drug use. For 1984 and 1985, more than half of all the deaths in Department of Correctional Service facilities were due to AIDS. The number of AIDS cases will increase as the conditions for the spread of the disease in the prison system continue and more drug offenders are sentenced to longer prison sentences (felony drug indictments for New York State increased 120.5 % to 4,674, for the first quarter of 1987 over the same period in 1986).

Notwithstanding the number of inmates with a history of drug use, the New York State Correctional System continues to be negligent in its treatment response to the Puerto Rican/Latino inmates that are HIV positive and diagnosed with AIDS. In the report AIDS in Prisons, the inhumane and intolerable conditions of inmates with AIDS was well documented. The effect of current state policies have resulted in the institutionalization of what can be termed "AIDS colonies"; groups of isolated and maltreated individuals suffering from a disease that creates social pariahs from capable and once functioning individuals. Puerto Rican/Latino inmates confront language and cultural barriers that impede their use of the professional and administrative support services offered within the prison system.

AIDS also involves numerous ethical, legal, and social issues that impact on the issue of discrimination. Protection of the basic and fundamental human rights of those that are HIV infected or AIDS diagnosed must be ensured, when regulations and legislation are proposed and policies are implemented. Confidentiality protection for information related to HIV infection and AIDS must be guaranteed in order to protect the public health system, and more importantly, the rights of the individual. Protection, as to confidentiality already in existence, must not be encroached upon, the basis of fear of the spread of AIDS. Denial of housing, employment and health insurance coverage on the basis of HIV infection or AIDS cannot be tolerated and mechanisms against such discrimination must be vigorously implemented.

RECOMMENDATIONS

Mandate and Expand Affirmative Action Efforts at all Levels

■ APRED recommends that Puerto Ricans and other Latinos be more fairly represented on national, state, and local AIDS advisory boards.

Cost: None

■ APRED recommends that the state require that bilingual/bicultural staff be available at direct service agencies it funds, to ensure that Puerto Ricans/Latinos and their families are properly served and benefit from all available services.

Cost: None

Increase Access to AIDS Related Services for the Puerto Rican/Latino Community

■ APRED recommends that the Legislature provide special funding to the State Department of Health to contract with community based organizations for the provision of ancillary health, mental health, crisis intervention services in districts where there is a concentration of Puerto Rican and Latinos in need of culturally relevant pre and post diagnosis AIDS related services. These services should include counselling on testing and provisions for home care, intermediate care, and legal advocacy.

Cost: $3 million

Strengthen Community Outreach Efforts

■ APRED supports the establishment of a comprehensive outreach effort, funded by the Legislature and administered by appropriate state agencies, which would contract with locally based community organizations to provide twenty-four (24) hour hotline services, develop and widely distribute bilingual, bicultural materials aimed at AIDS education and prevention, and coordinate an effective radio, television, and print media campaign to promote local efforts and available resources for those minority communities, particularly the Puerto Rican and Latino community, that are most affected by the AIDS crisis.

Cost: $3 million

Develop New Institutions

■ Where no community based organizations exist in neighborhoods that are underserved, APRED recommends that state funds should be used to create or dramatically expand local entities that are directly accountable to the surrounding Puerto Rican and Latino community to provide these services.
Cost: $1.5 million

Enhance Specialized Services for Drug Abusers with AIDS/HIV Virus

■ APRED supports legislation to fund an additional 50 bilingual/bicultural AIDS Coordinator positions throughout the treatment system to facilitate outreach and awareness concerning AIDS to Puerto Rican and Latino substance abusers within residential treatment programs.
Cost: $1.7 million

■ APRED supports the creation of four additional street outreach and prevention units (distributed evenly between New York City, the Lower Hudson Valley, and Long Island) to bring AIDS education and risk-reduction counselling efforts to Puerto Rican/Latino substance abusers not yet within current residential and/or ambulatory programs.
Cost: $1.5 million

■ APRED calls for the enactment of legislation to establish both residential and ambulatory treatment facilities targeted specifically for female substance abusers who are either pregnant or are single mothers with children. Licensing requirements and funding streams must be coordinated between state and city agencies with jurisdiction over substance abuse treatment and prevention, primary health care, child care, education, and public assistance, to ensure adequate and proper provision of services.

Cost: $3.5 million

■ APRED supports the establishment of a Special Fund within the Division of Substance Abuse Services (DSAS) to reimburse costs related to the provision of necessary support services, such as child placement and legal services, in cases involving IV drug abusers with AIDS who are in the treatment system.

Cost: $250,000

(See APRED's section on Substance Abuse for corresponding recommendations)

Design and Implement AIDS Prevention/Education Programs Within the Prison System

■ APRED supports the immediate design and implementation of an on-going, comprehensive initiative aimed at increasing AIDS education and prevention programs at all of the state's prison facilities. APRED believes that due to the disproportionate number of Latino inmates with AIDS/ARC, bilingual/bicultural counselors should be available to coordinate and facilitate all aspects of the program. Latino inmates who undergo HIV antibody screening and testing should be monitored and assessments should be made of the impact of testing on the patient. All AIDS literature, consent forms for HIV testing and videos on AIDS should be made available immediately in Spanish and other necessary languages. Bilingual support services should be made available for families, partners and close friends of prisoners with AIDS. Finally, a comprehensive AIDS education and training program should be designed and implemented for all civilian and security staff, and repeated annually in order to have maximum effect.

Cost: $10 million

CHILDREN & FAMILIES

"50% of all Latino children in New York State live in poverty."

POLICY STATEMENT

The family is a universal aspect of human social systems. It is the basic unity and cohesion that underlies all human societies from the simplest to the most complex. It is an ancient and constant order that responds to a human being's most fundamental survival needs. The family is a natural creation that supports the significant human need for socialization and maturation as well as a culture's need for growth and safety. Society's desire to maintain order and productivity is predicated on the strength and accomplishment of its family units that are caring for and initiating new members into that society.

Destroying a culture and people is simply accomplished by neglecting and dismantling the family unit so as to prevent the family from conveying to their children their cultural symbols and values as well as the skills and techniques to make them capable of adjusting and adapting to physical and social environments. Disregard for the family unit as well as its place in its larger kinship structure, is the path to destruction for any society. Within this context, our modern democracy must commit itself to a formal recognition of "family" and guarantee every family unit a just and equitable level of quality of life, so that it may function and serve its purpose in advancing its own culture and strengthening the larger society.

No national comprehensive family policy exists. Therefore, no framework is in place to address the alarming and increasing needs of families in the United States. The absence of a national family policy has resulted in devastating outcomes particularly for poor and working class families. Poverty, homelessness, poor health, unemployment, family violence, and the break-up of families due to these factors, are but a few of the trends we are experiencing today. Because no proactive and coherent policy exists, government reacts in a piecemeal approach that has only served to create expensive bureaucracy and alternative institutions that fail to support families and prevent dysfunction.

APRED challenges the Governor and the Legislature to take the leadership in this nation and, with our support and that of many others, develop a Statewide Comprehensive Family Policy, that would be a model for other states, and a lesson for the federal government in its own rationale for an eventual and inevitable National Family Policy.

The Governor's commitment to the future has been well expressed in his "Decade of the Child" initiative. Let that be the logical first step and precursor to a major effort in the "Generation of the Family"--A Statewide Policy for the Family of New York.

APRED's concern for all children is expressed in its desire that the State move to develop the kind of universal policies and programs that will address the needs of all families. In the immediate, however, the Legislature must act to improve the deteriorating life situation for many who cannot wait for the major effort we propose on a state family policy. Puerto Ricans/Latinos as well as African Americans constitute the greatest number of those most in need in this state. Puerto Ricans/Latinos are by far the poorest.

APRED calls on the Legislature to move on two major measures to increase income. First, raising the public assistance grant to a level consistent with federal poverty guidelines. Second, raising the minimum wage to $5.00.

APRED believes that many who need services very badly do not get them. Further, that there are communities that are grossly underserved and where there is either a weak organizational infrastructure or none to speak of to provide services. Many Puerto Rican/Latino communities have few family services and barely no youth services. Government must respond to this in an organized and deliberate manner so that needs are met, particularly when dollars are available for the services. In response to this, APRED proposes the creation of a Service Gap Fund which would foster a more targeted and efficient approach to the development of organizations and services.

BACKGROUND

In 1985, in New York State, 50% of all Latino children were poor. Puerto Rican/Latino and African American children account for approximately 33% of the 5.2 million children in the state, yet they account for 50% and 40%, respectively of the children that live in poverty. The existence of such pervasive poverty leaves families, particulary women and children vulnerable to homelessness, ill health, low educational attainment, and limited employment opportunities.

The child welfare system was set up to protect children from neglect and abuse, to aid in the maintenance of the family as a functioning unit, and when there is no other alternative, to provide children who are unable to remain with their natural family a placement that is in his/her best interest. However, the child welfare system, in its attempt to aid children and families, addresses individual or family dysfunction rather than dealing with the societal conditions that give rise to these problems. Service is usually triggered by crisis, rather than the need for prevention. The child welfare system has failed to meet its goals.

The Child Welfare Reform Act was enacted to prevent children from being placed in foster care unnecessarily or for an extended period of time. To accomplish this objective, the Act requires that preventive services be provided to children who are "at risk." The Act not only promotes preventive service, but the provision of support services that would allow for the reunification of children with their natural parent or guardian or their placement with adoptive families.

Currently, children are being placed in foster homes at an increasing rate. In 1987 14% of the 26,547 children in foster care were Puerto Rican/Latino. In 1988, the foster care population increased by 4,000. Now Puerto Rican/Latino children are 30% of the foster care system. Children under the age of five entered the foster care system at a rate of 200 per month. At this rate the number of children in the foster care system will increase by another 40% in 1990.

There has also has been an increase in the number of siblings in the system, who are being separated without regard to the stipulations set forth in the Geographic Placement Requirement of the Utilization Review Regulations. The effect of lax compliance with this law has been the placement of children using age as the standard by which decisions as to placement are made with little regard for the child's ethnic or racial identity. Placements are also occurring outside the geographic area of other family members or siblings. The implications of separating siblings and distancing family, primarily for the system's convenience must be stopped. **APRED strongly opposes any move towards expanding congregate care. Scarce dollars would be better spent in major recruitment of foster families and providing incentives for care .**

The lack of data is a problem with reference to effective implementation of the Child Welfare Reform Act, and is a major issue across the board in the child welfare system. There is currently insufficient data available on Puerto Rican/Latino families receiving social services. In a report issued by the Office of the New York State Comptroller examining New York City's Foster Care Program under the Child Welfare Reform Act, there was an absence of data relevant to the management of the system. "Neither the City nor the State has information on how many children referred to Special Services for Children, or a voluntary agency, subsequently received preventive services, were placed in foster care, were put up for adoption, or received no services at all. In addition there is no information on what the outcome was for each referred child." There is no systematic tracking system.

Due to the paucity of ethnic specific information on the services provided and the individuals serviced, projections as to need rely on unreliable variables rather than on substantive data. The absence of an effective method by which to collect, integrate and provide information to interested individuals and organizations, impedes their ability to adequately plan, target and fund programs, and prevents effective delivery of services. The private non-profit voluntary sector must be part of this data gathering process, as they are responsible for close to 90% of the children in the system who are predominately Puerto Rican/Latino and African American.

One in four children in New York State is poor. A substantial number of these poor children rely on the state's income maintenance system for their survival. The major program of public assistance to poor children and families, Aid to Families with Dependent Children (AFDC), continues to be the only federal entitlement program that is not indexed against price inflation. The result has been a decline in the real value of this assistance.

According to the Federation of Protestant Welfare Agencies, the basic allowance (excluding utilities) currently provides in real dollars less than half what the state itself, in setting the original standard, determined was minimally necessary for people to live on. A typical AFDC grant in New York State was $497 per month in 1987 for a family of three, usually a woman and two children. This leaves a family 35% below the federal poverty level. Even with the in-

clusion of Food Stamps value to their income, they would still be 11% below the poverty level. Close to 93% of AFDC families are single parent households headed by women with children. New York's basic grant offers public assistance families about $1.96 per day per person to meet medical and food expenses not covered by the federal Medicaid and Food Stamp programs and all other clothing, transportation, education and personal care expenses.

In New York State, Puerto Rican/Latina women with children are the most disadvantaged with reference to income. Thirty six percent of Puerto Rican/Latino families are headed by women. The presence of children impacts on the ability of women to seek employment. Only 31% of Latina women with children under the age of 6 are participants in the State's labor force. Unavailable or limited child and day care options and a lack of knowledge or information continues to be a disincentive to obtaining education, employment and training services.

The provision of quality affordable child care for the poor and working class is grossly insufficient. Child care provides the balance between the demands of work and family. There are licensed or certified child care slots available for one out of three children under the age of six of all income levels, but as few as one in twenty for the children of welfare recipients. In 1985, there were over 5614 licensed child care providers in New York with a total capacity of 133,544 children, fulfilling 16% of the estimated need for child care. The absence of comprehensive and available day care is a key factor in the perpetuation of poverty among women and children and working couples. Without adequate, affordable day care, women with young children, in particular, are faced with an often insurmountable barrier to entering the labor force.

According to the Children's Defense Fund, "Two out of three center based care givers earn below poverty level wages, and 87% of family day care workers earn below the minimum wage." Day care workers are not only paid below subsistence wages, but about only half are covered by health insurance, and other benefits such as life insurance and pensions are provided even less frequently. The Center for Public Advocacy Research in its study entitled, Day Care's Unfair Burden, states that " at the same time that day care is being used as an economic incentive to draw women out of welfare dependency, and into jobs, the day care field itself is not able to provide sufficient compensation to its workforce to provide a reliable alternative to public assistance."

The escalation in housing rental costs has affected poor working families more acutely than any other segment of the population. According to the Ford Foundation, Federal subsidies for low income housing have been slashed by sixty percent since 1982, contributing to an increase in homelessness, the deterioration of public housing, shortages of affordable rental housing, and declining rates of home ownership. In New York City in 1984, over one-fifth of the city's household paid more than 50% of their income for rent, and one third paid more than 40%. In 1987, New York State estimated its homeless population to be between 80,000 and 100,000. Those actually sheltered for that year were 36,560. Of homeless families, 95% are African American or Latino, and 50% of all homeless children are below the age of five.

Violence is defined as an unjust or abusive exercise of power. No where is this more apparent than with the physical, emotional, and mental mistreatment of women and children. Women and children are often the subjects of family violence, yet there is an insufficient number of al-

ternative housing arrangements available for them, short of foster care. In New York City there are 400 beds for battered women and children, with a maximum stay of 90 days. There are only 50 beds for working women and children. In these situations of family violence, it is usually the women and her children that are forced to leave their home and become homeless. Numerous factors contribute to child abuse and neglect and family violence. Substance abuse, a history of family abuse, high levels of familial stress caused by the presence of mental illness, marital dissonance, are some of these factors. There are also socio-economic factors that influence the manifestation of family violence. Among them are inadequate support systems, poverty, unemployment, underemployment, and a lack of social services.

There is a serious shortage of Latino community based primary preventive services and comprehensive family support programs in our communities. These services must be created and/or expanded in Puerto Rican/Latino neighborhoods to ensure the support, and well-being of our at risk children and our overburdened families. More publically funded day care both Family and Center based, are needed to care for Latino children whose parents work. Financial problems and lack of insurance coverage are among the most serious barriers faced by Latina women. Latina mothers and their children are entitled to receive adequate health care as well as comprehensive family services. Puerto Rican and Latino service providers must have increased access to the resources already available through the various state agencies to service our communities.

RECOMMENDATIONS

MOVING TOWARDS FAMILY POLICY

Create and Implement a Comprehensive State Family Policy

■ APRED recommends that the Governor and the State Legislature undertake a major effort towards the development and adoption of a coherent and long range State Family Policy for New York. APRED acknowledges the Legislative leadership being provided by Assemblyman Al Vann in this arena who, along with his "Brain trust", is paving the way towards the identification of fundamental rights and minimum standards as it relates to ensuring an equitable quality of life for the families of New York.
Cost: $1 million

Increase Public Assistance Benefit

■ APRED supports the enactment of legislation which would increase the public assistance grant to levels consistent with federal poverty guidelines over a three year period. To accomplish this, funds must be earmarked to provide for a 26% increase in the basic grant in FY 1989-90, followed thereafter by similar increases over the next two years.
Cost: $115 million (in FY'1989-90) (See APRED's Income Security Section)

Increase Minimum Wage

■ APRED supports the enactment of legislation mandating an increase in the minimum wage to account for lost spending power since 1981, thereafter to be indexed to the cost of living index. Such an increase should be phased in over a five year period, beginning in July,

1989, through July, 1994.
Cost: (See APRED's Income Security Section)

Increase Access to Health Insurance for the Working Poor

■ APRED calls for the adoption of a statewide insurance program patterned after the programs similarly enacted by the State of Washington and the Commonwealth of Massachusetts to provide access to medical coverage for the working poor who cannot afford private insurance or qualify for Medicaid.
Cost: To be determined (See APRED's section on Income Security Section)

Enhance Fairness/Ensure Adequate Training Opportunities

■ APRED supports the creation of job training and skills development programs recently mandated by the Federal Family Support Act of 1988 for families receiving public assistance benefits. APRED supports the enactment of legislation that will mandate the state's compliance with this Act and its drawdown of federal resources, coupled with its own funds, to provide child care, transitional health care coverage, and other support services to promote increased participation and effectiveness. To this end, APRED believes that the CHOICES program administered by the Department of Public Welfare of the Commonwealth of Massachusetts is a viable model which can be successfully implemented in New York State.
Cost: To be determined

■ APRED supports a change in state administrative regulations to allow public assistance recipients to take two and four year liberal art college courses as exemptions from WIN and EOP work requirements regarding training prerequisites for continued benefit eligibility.
Cost: Minimal

Institute Greater Enforcement of the Child Welfare Reform Act

■ APRED supports the enactment of legislation amending the Child Welfare Reform Act (CWRA) to provide additional authority to fully enforce CWRA's regulations on preventive services, in view of the failure of recent efforts to accomplish the same. APRED recommends that said legislation mandate the adoption of an administrative action plan within the Department of Social Services to more effectively monitor and track the actual delivery of services to assure program competence and quality. Preventive services should include counseling, advocacy, housing assistance, and other referral services, and should always be offered before placement (of the child outside the home) occurs.
Cost: None

Design and Implement a Single Unified Child Care Access/Funding Procedure

■ APRED supports the enactment of legislation, or administrative statute, which would mandate the use of a single unified application form for parents wishing to enroll their children in government subsidized child care programs throughout the state. Concurrent with the filing of such an application, funds must be made available for the provision of bilingual/bicultural counselors to meet with Puerto Rican and Latino parents, who, supplied with the necessary vital family information and able to enter it into a state agency linked computer network, could counsel them on what state benefit programs (Medicaid, WIC, SNAP, Free School Lunch, State Rental Assistance, etc.) he/she/or their children were entitled to receive as well.
Cost: To be determined

Mandate Appropriate Racial/Ethnic and Service Data Collection and Dissemination by the Child Welfare System including Private Voluntary Agencies

■ APRED urges the Legislature to mandate under the Child Welfare Reform Act, the collection and public dissemination of data related to demographic as well as service provision and outcome for families and children within the child welfare system. This would include as well data from the private voluntary sector so that more complete data can be made available. Most of the children in the system are Puerto Rican/Latino and African American. Both communities must know the status of its children within the system and plan accordingly for services and programs.

Cost: $500,000

MOVING TOWARDS ELIMINATING GAPS IN SERVICE

Creation of Service Gap Fund for Organizational and Program Development in Underserved Communities

■ APRED recommends the creation of a Service Gap Fund that would, based on indicators of need, including low or weak institutional infrastructure, target resources for organizational development and/or program development or expansion, to communities where these gaps exist.

■ APRED believes that it is an important role of government to provide assistance in program development and start up where there is a clear need for services, but insufficient local resources. It is in underserved communities that public initiatives of this kind are vital. As government seeks to economically revitalize communities through special initiatives like enterprise zones, so too should it concern itself with the human services and its delivery infrastructure in communities.

Cost: 1.5 million (See APRED's Institutional and Community Development Section)

Increase Preventive/Supportive Services to Families in Hotels/Shelters/Rehabilitated and Public Housing

■ APRED supports an increase in spending authority within the Department of Social Services (and other involved state agencies) in order to boost the levels of preventive and support services made available to Puerto Rican and Latino children and families within "welfare" hotels and congregate shelters, with particular emphasis to those located in New York City. For those residents who are being moved out of shelters and into rehabilitated or public housing, APRED supports the enactment of legislation which would provide extra funding to mount an Interagency effort (including DSS, DFY, SED, DSAS, DAAA, OMH, and DHCR) to target state resources and expertise towards effective bilingual/bicultural service provision to these families making the transition to new neighborhoods, and new lives.

Cost: 2.5 million

Improve Child Care Services for Parents in State Funded Training Programs

■ APRED supports the use of Federal JTPA (Job Training Partnership Act) and JDA (New York State Job Development Authority) funds to help meet the costs of child care for families participating in state assisted job training and educational programs, and urges the

state to contract with local, community based organizations to provide this service, with particular emphasis in communities heavily populated by economically disadvantaged Puerto Rican and Latino families.
Cost: Minimal to State

Increase Access to Child Care Programs

■ APRED supports the revision of administrative regulations within the Department of Social Services which would mandate a uniform system of eligibility determination for Day Care, Head Start, Project Giant Step and Pre-kindergarten programs. Such a change would facilitate continuity of service for the children currently enrolled, and make it easier for Puerto Rican and Latino parents to take full advantage of all available services.

■ APRED supports the revision of administrative regulations within the Department of Social Services that would increase the eligibility level for low income day care services to two hundred percent (200%) of the poverty level families to take advantage of these services. Similarly, APRED recommends that the low-income eligibility requirements for Pre-kindergarten programs be raised to the same level (200%).

■ APRED supports legislation to expand the Child Care System in New York so that more family daycare and center based child care can be offered to families.
Cost: $5 million

Create Latino Community Based Comprehensive Family Service Centers

■ APRED recommends that the Legislature appropriate funding for the development of Community Based Comprehensive Family Service Centers in at least three underserved communities. These Centers would provide an array of family and preventive services depending upon the particular and most pressing needs of the community, as would be formally assessed. Start up or expansion resources would be provided which would then make these Centers able to access regular services funding streams.
Cost: $3 million ($150,000 for the development and documentation of a model, as well as technical assistance for implementation)

Fund Major Comprehensive Latino Youth Services Initiative

■ APRED recommends that the Legislature appropriate funding for a major initiative to develop community based comprehensive youth services targeted for Latino youth. The Puerto Rican/Latino community is the youngest community in New York. Our youth between the ages of 11 and 21 have little or no services being provided to them in their own communities. The State dollars that go to Latino community organizations for youth services is negligible, at best. There must be major Legislative intervention to fill this significant GAP in services to the most vulnerable population, as it they that are most exposed to the forces of drug and alcohol abuse, AIDs, teenage pregnancy, and poor educational services. Models exist that can be documented advanced and replicated in underserved Latino communities. APRED recommends that at least two such programs be initiated this year.
Cost: $1.5 million ($100,000 for model documentation and technical assistance)

Amend Domestic Relations Law

■ APRED recommends that the Legislature amend the Domestic Relations Law to allow for an equitable determination as to the possessory right that a husband or wife may have to

the marital home. This will facilitate the determination in resolving the competing interest of the party in possession of the dwelling and the party(ies) who have vacated the premises as a result of family violence and fear of reprisal. Too often, it is the woman and her children who must leave and become homeless in instances of family violence. Rights to household must be clarified particularly in instances where the husband is the lease holder and/or refuses to vacate as a consequence of a violent act.
Cost: None

Stop Congregate Care--Increase Funding For Latino Foster Care Family Recruitment

■ APRED recommends that the Legislature appropriate funding for a major Foster care family recruitment effort to be done in conjunction with community based organizations. This effort can stem the system's move towards institutionalizing congregate care based on their inability to identify, recruit and train foster families, particularly for special needs children. Resources must be provided to place children in the least restrictive and most homelike environment possible. Child development literature warns as to the dangers of congregate care.
Cost: $1.5 million

More Services for Victims of Family Violence

■ APRED recommends that the Legislature appropriate funding to expand the available pool of accomodations for battered women and their children in New York City. The current system of 400 beds does not meet the increasing demand for service. In addition, more support services must be made available in this often life and death situation. Expansion in these services must be targetted for services that are bilingual and bicultural to meet the growing needs of Latina victims and their children.
Cost: $2 million

CRIMINAL JUSTICE

"Today, it costs $140,000 per year to keep a juvenile offender incarcerated at the Spofford House of Detention."

POLICY STATEMENT

APRED continues to be shocked by the growing number of Puerto Ricans/Latinos who are incarcerated in this state. As we fight on the one hand to raise the level of support for a mother and her children to federal poverty levels as well as for more youth services in poor underserved communities, we continually hear the cries for fiscal restraint. However, on the other hand, we see a system that is perfectly willing to spend close to $60,000 per year to keep a prisoner in jail, and as much as $140,000 to keep a youngster forcibly detained. Not satisfied with this phenomenal expense, the system continues to bring them in, as if with a suction hose pointed at certain communities, to institutions that are overcrowded, unsafe, and where there is little hope for rehabilitation. Hopelessness is real for Latino inmates who have the highest rate of suicide attempts in the system. With as much as is being paid for suicidal inmates to stay in prison, access to bilingual psychiatric social workers and counsellors is virtually impossible. We must reverse this bizarre and bleak scenario that is literally destroying our families, particularly our youth.

The Puerto Rican/Latino community is intimidated by the Criminal Justice system. Their reactions vary given which component of the system they are interacting with. In all cases, however, Latinos are disadvantaged. In prison there are virtually no bilingual personnel or services. Therefore, there is no communication or access to help. In the courts, Puerto Ricans/Latinos cannot afford representation and there are few, if any, bilingual personnel or interpreters. The judges are rarely, if ever, Latino or possess the capacity to communicate in Spanish. Most Puerto Ricans/Latinos are usually at a complete loss when arrested, arraigned, tried, and sentenced. The experience is devastating for the individual, and the family. APRED believes that this system must be demystified, whether it is accessing services in prison, or trying to get more Latino judges on the bench. APRED calls for more bilingual services in the prisons, access to bilingual personnel in the courts, community based advocacy programs in criminal justice, and more Latino appointments to the bench.

APRED believes that more Latinos should be given the opportunity to enter the criminal justice system as Lawyers. Special recruitment and support programs should be developed to target Latino youth at the high school and college level to enter the law profession and be assisted through the LSAT process. Once on track, special financial support as well as help to

pass the Bar is critical. In New York, the pass rate for Latinos on the Bar Exam is lower than average, at about 30 percent.

BACKGROUND

The Criminal Justice system includes the police, the courts, the Department of Corrections, the Department of Probation, and the Parole Board. Social/legal agencies and advocacy groups are as well part of it. However, the perception that the criminal justice system produces a dual system of justice and discriminates along class, racial and ethnic lines is a real one, both for those who have gone through system, as well as those who see the evidence of its treatment every day in the streets of New York City.

The clients of the system are predominantly the poor, the underprivileged, and the young, who are members of racial and ethnic minority groups. Discrimination, based on race, national origin and language had been among the factors which account for the inequities in arrest and incarceration rates, disparate sentencing, and denial of probation or parole as alternatives to continued incarceration. Puerto Rican/Latinos continue to be the youngest, less educated, less skilled, unemployed, and underemployed inmate population. They are more likely to be incarcerated for longer periods of time, and face the likelihood of being denied probation and parole more often than the general population.

The response to the public's outcry against drugs is longer sentences for those convicted of drug offenses, and the creation of Tactical Narcotics Teams (TNT) in New York. Official reports estimates an increase in the number of arrests for drug related offenses of up to 100 per day as the result of the TNT program. Areas targeted for TNT programs are communities in transition and heavily populated by Puerto Ricans/Latinos. These state/city initiatives, along with recently enacted federal legislation mandating the death penalty for convicted drug king pins, underscore the extent to which the Latino population may be adversely affected. With the public perception that is being fostered by the mass media that Latino communities are the purveyors of the drug culture in this country, it is plausible that with the institutionalization of these programs, there will be an increase in the numbers of those wrongfully arrested under the banner of law enforcement. However, it usually is the case that the race and /or ethnicity of those persons stopped, questioned, and arrested will undoubtably influence enforcement of the law.

Twenty eight percent (28%) of Puerto Rican/Latino inmates currently being committed are for drug offenses. With further intensification of the "war on drugs", it can be expected that there will continue to be a disproportionate number of Puerto Rican/Latino men and women arrested and sentenced.

While the number of Puerto Rican/Latino inmates is increasing, the New York State correctional system has not adequately met the needs of these inmates. Hispanic inmates who are

monolingual are unable to participate in programs offered by the Department of Correctional Services (DOCS) because they are offered exclusively in English. In a report by New York State Department of Correctional Services, Hispanic Needs: Employment and Inmate Programs, there was reference to the lack of Latino participation in the Alcohol and Substance Abuse Treatment Program. This program is offered at 29 facilities; yet according to the report, there is not one Latino substance abuse counselor at any one of the facilities. As a result, the program has not been able to effectively recruit Latino inmates. Those inmates that do participate are at a clear disadvantage, and many are negatively impacted when they appear before the Parole Board.

Failure by the correctional system to address the needs of the Latino inmate population directly affects the ability of the inmate to participate in their rehabilitation. The conditions under which many Latino(a) inmates are handled are a deterrent to rehabilitation. To allow continued exclusion of Hispanics from available programs constitutes a serious denial of access.

Probation continues to be the major alternative to incarceration. However, it is predicated on the individual's past history with specific reference to a criminal record, the type of crime committed, community ties, and employment and educational background. Racial discrimination is likely to occur when the opportunities arise for discretionary decisions which are legally permissible as with parole and probation. Probation as such is not readily available to the Puerto Rican/Latino community. There are very few community based release programs, including residential programs, that address the educational, vocational, cultural and linguistic, employment, drug and alcohol treatment, and counselling needs of the inmates and their families. More of these programs are needed in order to offer the necessary support services which can result in effective rehabilitation.

While the Latino statewide population is nearly 10%, the Latino inmate population is approximately 30 percent. In 1987, the general inmate population grew by 11 percent. The Latino inmate population increased by 18 percent. From 1977 to 1988, the Latino inmate population tripled from 4,000 to over 12,000, a growth rate faster than that of the total overall inmate population. These figures represent an increase in both the male and female inmate population and inmates who are monolingual. It should be noted that the actual number of Latinos in the correctional system in New York will never be known with great certainty given identification problems.

The New York Department of Correctional Services counts an individual as Latino (Hispanic), as anyone who meets one or more of the following criteria: Spanish language dominance, Puerto Rican birth, or birth in one of the countries defined as "Spanish speaking," and anyone of Puerto Rican parentage or parents born in a Spanish speaking country. Inherent with this type of "observer" classification, is the degree of errors in judgement. Therefore, the numbers of Latinos in the Correctional system are likely to be undercounted. Latinos with surnames that are not Spanish will not be included. The criteria for classification of inmates should be the same as that used by the United States Government in its decennial Census. That is, providing for individual self-identification. This identification process should also allow for the ad-

dition of race and ethnicity as possible choices.

Puerto Ricans/Latinos are underrepresented in the area of employment within the criminal justice system. Despite substantial documentation of the need for bilingual law enforcement and treatment personnel, hiring practices do not reflect this. The increased entry of Puerto Ricans/Latinos to the Police Department has been a recent phenomenon. A disproportionate number of those employed in the system are in the lower ranks. Notwithstanding this nominal increase, there continues to be a discernible lack of Puerto Rican/Latino representation on the policy making level within the Police Department. If Department tradition prevails as to "moving up the ranks" over time to higher positions, we may see very little change over the next decade.

There is a need for bilingual/bicultural personnel in all the correctional facilities. Of the total 4,030 civilian employees working within the 53 correctional facilities, a total of 260 Latino are employees, or 6.5% of the total workforce. According Hispanic Inmates: Employment and Inmate Programs, there are only six Latino uniformed correction employees who are presently holding high ranking positions in all of the 53 facilities. There is one Assistant Commissioner employed in the Division for Facility Operations. Under the Alcohol and Substance Abuse Treatment Program, a total of 119 Latinos were employed. There are 26 job categories and 11 have no Latinos. These figures demonstrate the lack of personnel able to address the linguistic, social, and cultural needs of the Puerto Rican inmate. These inmates are not only denied services while incarcerated but also lack transitional services.

An article in the May, 1987 American Bar Association (ABA) Journal concluded that "the condition of minorities in the legal profession is not good,...the number of Black, Hispanic, and Asians who enroll in law school is small. In the law firms, there are few minority associates, and even fewer partners." The Supreme Court decision in the Bakke case, the public backlash against affirmative action, and the lack of financial aid, has decreased the number of Puerto Rican/Latino students entering law schools. Law schools remain largely inaccessible to Latino students as a result of several institutional barriers which impede their inclusion. The Law School Admission Test (LSAT) is a standardized examination used by law schools as an indicator of probable law school performance. The exam has inherent cultural biases, and Latino students often perform less well than the majority of white/ethnic students. For those students admitted to law schools, there exist the lack of retention and support services, the lack of adequate financial aid and the difficulties encountered in passing the bar exam.

A 1985 study by the Fund for Modern Courts, Inc., indicates that while 9.4 percent of the population in New York State is Latino, 1.5 percent of the judges are Latinos. There must be a concerted effort to increase the number of Latino(a)s on the bench. The Latino community must involve itself in the process by with judges get appointed and/or elected. Any visit to either the Housing or Family Court with evidence the enormous loss and suffering in the Latino community that could be abated by having Latino judges as well as other court personnel, who are linguistically and culturally compatible.

RECOMMENDATIONS

Mandate the Delivery of Bilingual/Bicultural Services in Prisons

■ APRED supports legislation which would increase funding to the New York State Department of Correctional Services to recruit and retain bilingual/bicultural personnel to provide vital and necessary services to Puerto Rican and Latino inmates at each institution within the state's prison system. These include:

a) Clerical and line program personnel to screen and classified Puerto Rican and Latino inmates upon admission to the system.

b) Teachers and education program staff to administer and deliver classes in direct proportion to the number inmates with limited to no English ability.

c) Vocational counselors to provide individual assessment and skills training to all eligible inmates.

d) Doctors, nurses, and other medical staff to conduct physical examinations, orientation services, and provide emergency diagnosis and treatment, with particular attention towards meeting the needs of female inmates.

e) Psychiatric Social Workers to deliver educational seminars and workshops particularly, on suicide prevention to prison staff members and inmates.

f) Substance Abuse and AIDS Counselors to coordinate effective prevention, treatment, and rehabilitation programs.

g) Attorneys and Interpreters when appearing before the U.S. Immigration and Naturalization Service.

h) Clerical and line program staff to develop and distribute copies of prison rules and regulations in Spanish and English, as well as all tests and evaluation/assessment forms.

Funding should be sufficient to cover the increased recruitment, relocation, and salary differential costs associated with this Act's vigorous implementation.

Cost: $5 million (See APRED's AIDS and Substance Abuse sections for additional recommendations concerning Criminal Justice issues)

Improve Data Collection Efforts

■ APRED supports the enactment of legislation calling for the use of a self-identification procedure in the entrance requirements for inmates throughout the New York State Correctional System. Such a change would greatly facilitate the process of identifying the actual number of Puerto Rican/Latino inmates, and serve as an accurate data base from which to design and target appropriate services and resources.

Cost: $50,000

Facilitate Latino Entry into the Criminal Justice Field

■ APRED supports the enactment of legislation calling for the creation of a Special Fund to operate Career Resource Centers in selected Junior High Schools throughout the state to provide minority (particularly Puerto Rican and Latino) students with information and access

to the career options that are available within the Criminal Justice System.
Cost: $500,000

Provide Community Based Advocacy Services in Criminal Justice

■ APRED supports the enactment of legislation to provide funding to the Department of Correctional Services to contract with Latino community based organizations to develop Family Support Programs to service the families of inmates incarcerated at each of the state's correctional facilities.

These support programs, which would coordinate family visits to prisons (especially upstate, where there is a large concentration of Puerto Rican and Latino inmates) and help defray the costs of transportation, lodging, and meals, will serve as a vital link between inmates, their families, and community, as well as work positively towards effective rehabilitation.
Cost: $4 million

Design and Implement Latino Law Project

■ APRED supports legislation which would provide funding for a joint initiative between Latino educational not-for-profit organizations and higher education institutions to implement a law school tracking program which would provide support services, counselling, tutoring, and mentor guidance to Puerto Rican/Latino high school and undergraduate students who want to pursue careers in law. APRED believes such a program could successfully begin to increase the pool of Latino attorneys needed to serve our community and fill a tremendous gap in the Criminal Justice System.
Cost: $1.5 million

Develop Alternatives To Incarceration

■ APRED supports legislation calling for the establishment of community based programs to serve as effective, intermediate alternatives to prison and probation for offenders convicted of non-violent crimes. Such programs should offer a rigorously supervised out-patient setting where those sentenced can participate in effective bilingual, bi-cultural substance abuse treatment, employment, academic, and vocational programs, while serving out their sentences performing mandated community service.
Cost: $15 million

EDUCATION

"$8 Billion dollars are spent on education each year in New York...
four out of five Latinos fail to graduate high school."

POLICY STATEMENT

APRED believes that all children have the absolute right to a quality education. Every child has the ability to learn and, therefore, must have the opportunity to do so in an environment that is responsive to their individual strengths and needs as well as their language and cultural values. Given this framework, APRED is concerned that the educational system in New York State continues to be derelict in its responsibility to provide the necessary leadership and resources to ensure equity and excellence in the education of our children. Nowhere is this more apparent, and insidious than in the case of Puerto Rican/Latino children.

APRED believes that the funding formulas and modes of resource distribution currently in use, are inequitable and place poor and educationally disadvantaged children at risk of school failure. Two educational systems exist in New York. This dangerous situation based on racism, fear and neglect must be reversed. Equity must become more than an attractive catch phrase. It must be institutionalized at all levels through equitable distribution of state aid that reflects that schools in poor communities require and should get greater resources.

The recruitment, retention, and promotion of Latino, African American and Asian bilingual personnel, must be a priority of the educational system and therefore, a major concern for Legislative support. Cultural diversity and the elimination of cultural/racial bias, the importance of role models, and the promotion of equity in the field of education, are goals that can be achieved with increased hiring of qualified professionals of color as well as bilingual personnel.

APRED supports decentralized school governance. Local community school boards must be strengthened and supported. However, these boards must effectively represent what is in the best interests of children, not politicians and special interests. Therefore, APRED believes that community school boards must be composed of a majority of district parents with children in the public schools. New York City Board of Education employees as well as elected officials should be barred from running for or serving on school boards.

APRED urges that the process of School Board elections be simplified, and that the voting system of Proportional Representation be eliminated. Parent participation in the School Board elections must be encouraged and facilitated. An important step towards this, would

be automatic parent voter registration upon enrolling their children in school.

Puerto Rican and Latino youth must be motivated to stay in school. They sense the failure and the confusion in the system, they experience the violence in the schools and see no future for themselves within it. It is the state's responsibility, in partnership with the private and non-profit sector, to make sure that the public school system meets the needs of Latino and African American students who, in New York City, constitute approximately 80% of the school population. The state must provide resources to our educational community organizations for special student retention and leadership development programs at both the junior high and high school levels.

APRED believes that all Puerto Rican/Latino children in New York State should have the opportunity to become fully bilingual and biliterate. All educational programs should therefore, have as their goal developing full fluency and literacy in both English and Spanish. APRED strongly supports the recently revised Regent's policy on Bilingual Education and urges the Legislature to appropriate adequate resources to implement this important policy.

APRED believes that the core of the strength and vitality of this nation is the diversity of its people, and its constitutional commitment to equal protection under the law. APRED views linguistic, cultural and individual differences, and similarities, as positive assets. We support a bilingual/ multicultural education philosophy that capitalizes on these strengths both in the teaching and learning process. Our educational system must promote respect for linguistic diversity and cultural pluralism so that children may develop a healthy self-concept and pride in their own ethnicity, race, language and cultural identity while, simultaneously, developing respect for others.

APRED opposes any effort or legislation be it federal, state, or local, which restricts the civil rights, civil liberties, or life opportunities of citizens and residents whose native or home language is other than English. Further, APRED opposes any "English Only" constitutional amendments as well as any organized attempts to impose language restrictions.

BACKGROUND

It has become common to attribute the waste and mismanagement in the public school system to decentralization as a form of school governance. With this criticism has come the move to recentralize education, rather than to improve the existing decentralized system. Decentralization was promulgated by state Education Law in 1969. The need to restructure the system was in response to declining levels of academic achievement, and the demands of Puerto Rican/Latino and African American parents and advocates, who believed that the system had not met its responsibility to a student population and school community increasingly made up of Latino, African American and Asian American children.

The call for true "community control," however, went unheeded. The Law compromised, and did little to protect or assert the primary rights of the parents, who truly had the most important and vested interest in ensuring a sound public education system--the future of their children. Current school reform efforts must give the schools back to the parents and their children by guaranteeing a parent majority on community school boards. In addition, school boards should have jurisdiction over high schools other than those that are specialized.

In a report issued by the National Education Association in 1986, New York State's per student expenditure was rated third in the nation. However, this figure and the state's ranking does not reflect the fact that the funding varies from school district to school district, thereby rendering the system-wide allocation inequitable in the local application of resources. New York State is currently not at the national average, which is 50% state support, in computing its share of educational aid. The current state share of aid is 44 percent.

According to the report entitled: The State of the Child, per student expenditures range from $28,524 in Wainscott, Suffolk County to $1,708 in Jasper, Steuben County. The inequities in per pupil expenditure are based, in part, on reliance on revenue generated by the individual school districts. Therefore, the distribution of wealth within New York State has serious implications for public school funding. Property value is the basis of revenue collection at the local level, thereby limiting the ability of some localities to increase revenues. The New York State system of educational aid does not compensate for local spending disparities.

A study entitled, School Finance Reform in the States, addressed the issue of local spending disparities using equality of per student expenditure and wealth neutrality (the degree to which expenditure per student and property wealth per student are related), as the goals of an equitable educational system. New York ranked consistently low on all measures pertaining to these goals. Efforts to change the funding system through litigation have been unsuccessful. While the Court of Appeals acknowledged inequities in the educational system in the case Levittown v Nyquist, they placed resolution of this problem squarely in the Legislature.

The Temporary State Commission chaired by Frederick Salerno, in its report entitled, Funding For Fairness, recommended that the Governor and the State Legislature strengthen the link between the distribution of state aid and the needs of at risk and disadvantage students, including limited English proficient students. The recommendation also stated that additional funds be directed to school districts with the greatest pupil needs, and that the State should increase its share of the additional expense to address the educational needs of at risk pupils.

The comprehensive work done by the Commissioner's Task Force on the Education of Children and Youth At-Risk, also supports the contention that the $8 billion dollar education budget must be allocated to school districts based on need and high concentrations of at-risk students. New York City, according to a study by the Educational Priorities Panel, spends less money per pupil than the state average. The same study also reported that the city's schools serve a disproportionate number of students needing remediation and bilingual instruction. New York City is the situs for 63.9% of children reading below minimum standards, 54% of

the students in ungraded special education classes, and 80.3% of students with limited English proficiency. Although New York City has 35.2% of the State's enrollment, it receives only 31.7% of the State's educational aid. More than 60% of the poor children in the State live in New York City.

The gravity of the situation is further intensified when programs specifically targeting this population are also inequitably funded. A Community Service Society study, Promoting Poverty: The Shift of Resources Away From Low Income New York City School Districts," found that the poorest community school districts in the City were shortchanged "with stunning consistency" in programs intended to assure uniformity of educational achievement. The 35% of funds allocated to the 32 community school districts for programs designed to enhance educational programs for the disadvantaged, were inequitably distributed within the city.

The State Education Department predicts that more than half of existing teaching positions will have to be filled over the next five years, as a result of retirement, attrition due to less than conducive working conditions, comparatively low salaries, and lack of involvement in the decision making processes affecting the school system. In a report, entitled,"The American Teacher 1988: Strengthening the Relationship between Teachers and Students", a national study of teachers and students found that a substantial number of teachers plan to quit teaching within five years. Furthermore, the teachers most likely to leave are those that are Latino and working within poor urban school districts. The study clearly articulates what educators have been stating for several years, that the number of public school teachers of color will decrease sharply in the next ten years. As the proportion of teachers of color decreases, role models who would encourage pupils to pursue education as a career goal will also decrease.

Although there has been an increase in representation of Latinos, African Americans and Asians, in pedagogical employment, the numbers are low in comparison to the composition of the student body. A comprehensive plan for the recruitment of bilingual and professionals of color must be developed and implemented incorporating incentives to assure retention of newly hired teachers. Recruitment and outreach efforts should be done in collaboration with Latino professional associations, community based educational organizations and colleges as well as universities with significant numbers of Puerto Rican/Latino students. Scholarships and financial aid should be made available on the basis of content areas currently facing shortages, such as bilingual subjects and English as a second language; student needs such as speech therapy; and in certain currently underrepresented geographic areas.

Current statistics for Puerto Ricans/Latinos dropping out of high school are a vivid example of how the public education system is failing our community and its youth. The Board of Education measured, for the first time, drop out rates for five different ethnic and racial groups among high school students. The results of the study published in the 1986-1987 Annual Drop Out Report, stated that the rate for Puerto Rican/Latino students was the highest for all of the five groups measured. While Puerto Rican/Latino students account for 29.5% of the total high school population, they disproportionately account for 39.3% of all of the students that drop out. The New York State Task Force on Dropouts and the New York State Education Depart-

ment have reported much higher dropout figures, estimating the Puerto Rican/Latino rate at about 60 percent. Unofficial figures go up as high as 80 percent.

The Board of Education administers the Attendance Improvement Drop Out Prevention Program (AIDP) which provides support services to students at risk of dropping out. In June 1988, the AIDP programs operated in 99 middle schools, 36 high schools, and on an experimental basis in some elementary schools. According to a report from the Public Education Association (Effective Dropout Prevention: The Case for School wide Reform), "despite difficulties in some schools, many examples showed that community based organizations render valuable service in dropout prevention efforts." Notwithstanding this finding it should be noted that very few Latino community based organizations participated in AIDP programs.

In light of the above, every effort should be made to involve Puerto Rican/Latino based community organizations in the implementation of collaborative efforts that target and serve students at risk of dropping out of high school. School-based and community supported initiatives that plan for flexible, non traditional learning programs and lead to graduation must be supported. Programs such as alternative high schools, evening and night high school, independent study centers and summer high school, offer students at risk of dropping out alternatives that are relevant to their particular academic ability and interests, financial and family obligations.

Occupational and vocational programs that offer students instruction in the fundamental skills necessary to obtain adequate employment must be adequately funded. These programs must serve as a link between state economic development policy and the growing demand for workers in the labor market. Puerto Ricans/Latinos are virtually invisible in upper management leadership positions in both the private and public sectors throughout New York State. The trend in labor market expansion and new technologies create opportunities for skilled leadership. Puerto Rican/Latino students must be prepared to meet the growing demand for skilled leadership.

Following the 1974 Supreme Court decision, Lau v Nichol, the Consent Decree between the New York City Board of education and ASPIRA, the enactment of the New York State Education Law, Chapter 827, mandated provision of bilingual education to all students limited in English proficiency. Despite, legislative and judicial pronouncements on the necessity of bilingual education, a 1984 study by the Educational Priorities Panel indicated that 44,000 of 114,000 New York City public school students with limited ability in English were not receiving the special language instruction required by law. There is no level of uniformity in compliance with the requirements of the law. Monitoring mechanisms which would ensure system wide compliance do not exist. Without a mechanism by which to determine levels of compliance with the dictates of the Consent Decree as well as Education Department initiatives, it is likely that the population in need of bilingual services will continue to be underserved.

Bilingual education programs are designed to help students acquire English proficiency while continuing to learn the subject areas appropriate to their age and grade level. Children are

identified for participation in Limited English Proficiency (LEP) programs on the basis of their performance on an English language assessment instrument. LEP students are identified by scoring below the statewide reference point, currently measured as performance at the twenty third percentile. Use of this standard on an English language test, allows schools to apply for State Limited English Proficiency Aid. However, performance at this level was arbitrarily chosen without analytic basis.

Notwithstanding the restrictive criteria employed to determine LEP or bilingual instruction, for calendar year 1986-1987, approximately 108,000 of LEP students were in New York City out of State wide total of 128,000. In December 1988, the New York State Regents approved a revised policy which wisely raised the exit criteria for bilingual instruction to the 40th percentile. The State Education Department must now implement the policy and develop by September 1989 programmatic guidelines to address the academic and supportive needs of students between the 23rd and 40th percentile. Students scoring between these two reference points must be provided with transitional instruction and language development programs. Identification of LEP and bilingual students must be on the basis of appropriate, unbiased instruments and reference points which accurately reflect the academic needs. The Regents estimate that it will cost an additional three million dollars each year to implement this new state policy.

The over representation of Puerto Rican/Latino and LEP students in special education classes is alarming. Use of culturally biased assessment practices, lack of trained bilingual staff, and the lack of appropriate programs to meet the needs of LEP and bilingual students, result in the placement of these students into special education programs. System wide use of non biased assessment and evaluation policies and procedures, monitoring of local school district referrals to detect the relationship between referral rates and race/ethnicity as well as the use of pilot programs to improve how school districts determine criteria for referral to special education must be mandated.

RECOMMENDATIONS

Support Further Decentralization Reform

■ APRED supports legislation for additional reform measures to ensure a parent majority on local school boards and eliminate proportional representation. Beyond, not being able to serve on school boards, Board of Education employees and elected officials should be prohibited from running as school board candidates. Further, the school board term of those newly elected school board members taking office on July 1, 1989, should be reduced to two years rather than three so that additional reforms can be implemented as soon as possible. APRED commends the forceful legislative leadership provided by Assemblyman Jose Serrano who against popular support persisted in paving the way for significant school reform.
Cost: None

Fair Share Allocation for New York City

APRED recommends that the State Legislature increase aid to education for New York City so that it can receive its fair and equitable share of state funds. The high correlation between student race/ethnicity, poverty level, poor educational outcomes and lack of equity in aid is alarming. A fair share would reflect the percentage that New York City students account for within the State.

Cost: 900 million (three year period)

Implement State Board of Regents Bilingual Education Policy

■ APRED recommends that the Legislature provide funding to implement this policy and require all districts to identify Limited English Proficient (LEP) students, and submit for approval, a comprehensive plan outlining the provision of bilingual and/or English as a second language services to all LEP students who score up to the 40th percentile on an English language proficiency test. In addition, require the establishment of programmatic guidelines which address the academic and other support needs of LEP students scoring between the 23rd and 40th percentile as well as require districts to include LEP student needs in their Comprehensive School Improvement Plans prepared in the spring of each year.

Cost: $3 million

Create Comprehensive Child Development Centers

■ APRED recommends that the Legislature set aside funds for the development of comprehensive child development centers in three Puerto Rican/Latino communities that would offer a continuum of bilingual and culturally sensitive childcare, health care, education and social services, for children six months old through second grade, and their families
Cost: $2.5 million

Monitor and Enforce ASPIRA Consent Decree

■ APRED recommends that the Legislature set aside additional funds earmarked to an independent agency/organization to monitor the level of compliance of school districts pursuant to the ASPIRA Consent Decree as well as the Regents Bilingual Education Policy to recommend sanctions in the event of non compliance. Bilingual Education programs have been one of the more sucessfully attended and completed programs by high school students. The dismantling of those programs have furthered the inequities Puerto Rican/Latino children face in the New York City public school system. In New York City, the legal mandate of the ASPIRA Consent Decree continues to be ignored by many local school districts and high schools.
Cost: $350,000

Support Major Student Retention Efforts

■ APRED recommends that the Legislature provide funds for Puerto Rican/Latino community based organizations to implement comprehensive services for student retention and leadership programming in high schools which have as a minimum 40% or more Latino student population. Basic components for this school year program would include leadership development, basic education skills improvement, counseling and career advisement, and family assistance. The cost of such a program would be a minimum of $200,000 per school.

Cost: $4.5 million for 15 schools.

■ APRED recommends that the Legislature set aside funding for schools to develop multicultural curricula, and conduct in service training of educational professionals in culturally relevant curriculum and services. The State Board of Education should require revision of current courses of study to incorporate the historical, cultural, and linguistic experience of Puerto Rican/Latinos in the United States.
Cost: $ 1 million

Address Puerto Rican/Latino Teacher Shortage

■ APRED recommends that the Legislature provide funding to implement a special program linking disadvantaged Puerto Rican/Latino high school students who have expressed an interest in teaching with an established teaching program in a city university college campus. Such a program should be the basis for increasing the supply of needed bilingual/bicultural teachers.

Cost: $300,000

■ APRED recommends that the Legislature provide funding for special outreach efforts by community organizations or professional associations to recruit teachers and potential teachers. Programs should provide counseling and referral as well as other support services.

Cost: $150,000

ECONOMIC DEVELOPMENT & EMPLOYMENT

"Fewer than 20,000 of the Tri-state region's half-million business firms were owned by Latinos in 1982..."

"In 1987, the Latino community comprised 21% of New York City's labor force, and 31% of its unemployed..."

POLICY STATEMENT

Today, our state is faced with a great challenge. Uncertainty about the nature of the current state budget deficit, as well as the stability of future revenues, have placed in doubt the continued health and well-being of the state's overall economy. As we confront these challenges head-on, it is becoming increasingly clear that their solution, and the state's future, depends on the present and future contributions of all New Yorkers to a truly interdependent national and world economy.

In this context, APRED believes that New York's Puerto Rican and Latino communities have, as of yet, not been given the opportunity to make their contribution to the economic growth and development of New York State. Even with the state's interest in furthering economic development efforts in minority communities, a crumbling educational and human service infrastructure has made this task virtually impossible. The lack of information and access to state economic development programs, the paucity of outreach and marketing campaigns designed to encourage Latino participation, the lack of involvement of the public and private sectors in making venture and start-up capital available to minority businesses, and the failure of the public education system to adequately prepare our young people to participate in today's changing labor market have all come together to halt any real, sustained economic progress by Latinos. In light of the economic "boom" the state, and in particular New York City, have experienced in the last eight years, it is clear that to permit this situation to continue is unjust, unconscionable, and short-sighted.

APRED believes there must be partnerships among community based organizations, government, and the private sector for the establishment of successful revitalization projects in targeted Puerto Rican/Latino communities. There remains much to be done with regard to getting the Puerto Rican/Latino business community (both profit and not-for-profit) on a level where it may compete successfully and fully participate in the state's strong regional and local economies. One of the most significant obstacles in this development has been the difficulty surrounding our businesses' ability to fully capitalize themselves through the competitive bidding process and aggressive pursuit of state contracts, as these tend, by design and operation,

to favor more established, cash-rich entities. In this sense the Puerto Rican/Latino business community must begin to press forcefully, at all levels, for its "fair share" in the allocation of resources and opportunities throughout the state's operational and regulatory structures. Current trends show that Puerto Rican/Latino private businesses and not-for-profit service providers are grossly under-represented in the aggregate amount of dollars spent by the state on contractual obligations and infrastructure improvements. Clearly, this trend must be reversed if our private business and not-for-profit service community are to have a chance at breaking these barriers, and accessing private credit and consumer markets at large.

APRED believes that the creation of a Puerto Rican/Latino Business Development Center, funded through its inclusion in the enabling legislation authorizing the Omnibus Economic Development Act, would be an important first step in the effort to provide our community with the informational and human resources necessary to begin the process of working directly with our business community. The provision of effective technical assistance to developing Latino businesses and non-profit organizations would allow the Puerto Rican/Latino community to take full advantage of the state's economic development infrastructure in a manner which would promote true long term job growth for our residents. Most important, the Center would combine our community's human service and business interests in a united front from which an effective community development plan can emerge, incorporating both present and future generations in entrepreneurial growth and service delivery.

APRED believes that the state must commit its dollars and will towards the effective functioning of its educational system, and provide skills training for adults and teenagers alike where entrepreneurial development is an active and valid career choice. APRED is in full support of a State Economic Development Policy which encourages support for community based training programs which link our not-for-profit community, our private sector, where Puerto Ricans/Latinos of all ages, particularly our youth, can begin the process of economic integration into the larger mainstream economy.

BACKGROUND

According to the findings published by The Commission on the Year 2000 in 1987, by the turn of the century Latinos and other non-whites will make up over 60% of the City's population. At the current time, unemployment levels for Latinos males are twice that for their white counterparts. Similarly, dropout rates among Latinos youngsters are 50% higher than for white students. Should these conditions persist into the next century, it is utterly conceivable that New York will find itself in an economic and social catastrophe, with a generation of haves and have-nots frighteningly badgered by earlier policies of indifference and neglect. It is becoming, and portends to be, a City where economic apartheid will be the result of a system which has failed to respond to the legitimate aspirations of its Latino citizens to be a part of the American dream.

In his widely acclaimed study entitled Closed Labor Markets: Underrepresentation of Blacks, Hispanics and Women in New York City's Core Industries and Jobs, Walter Stafford points conclusively to the segmentation of Latino males to non-supervisory positions in industries out of the City's economic mainstream, with few opportunities for growth and advancement. This fact, when coupled with the virtual exclusion of Latinos from 130 out of the 193 industries in the City's private sector, paints a picture of economic stagnation rarely seen or experienced by any other population in recent memory. In this light, APRED views as critical the development of a strong and vibrant Latino private business sector to the future economic health and well-being of our community. In a metropolitan area where over 98% of the businesses are small (employing less than 100 workers) it is apparent that real gains in employment and economic status among Latinos will only occur simultaneously with the steady growth and prosperity of Latino institutions.

APRED believes that where private capital is sorely lacking to facilitate the development of this infrastructure, government carries a necessary responsibility to use its resources in the most creative fashion possible to provide the "seed capital" to begin such an effort. The state, through the passage of the Omnibus Economic Development Act of 1987, has created an impressive array of programs and initiatives designed to do just that. However, the regulations governing the administration of these programs have effectively cut off Puerto Rican/Latino businesses from taking full advantage of these programs. The High Risk Targeted Investment Program (HRTIP), and the Minority and Women's Revolving Loan Program (MWLRLF), administered by the Urban Development Corporation (UDC), are two cases in point. While the High Risk program provides funding for site acquisition and rehabilitation, it only provides this assistance for industrial firms in operation three years or more. Similarly, while the Revolving Loan program provides assistance to small, retail firms, such firms must be recognized as corporations under New York State law in order to be eligible, and employ a minimum of four employees. Given the nature of our small business community, which is often organized under the rules governing small proprietorships and partnerships, and our overwhelming concentration in the service industries, it becomes abundantly clear that the programs designed to help Puerto Rican/Latino businesses consistently fail to do so in any meaningful way. In this way, a major revision of the regulations governing state economic development programs is a critical and necessary step towards enhancing Puerto Rican /Latino participation in all programs.

Currently, they are few, if any, courses or programs available to Puerto Rican/Latinos at the secondary and/or post secondary level which offer education and training on Entrepreneurial Skills Development. Its permanent availability to our residents, of all ages, would be a major step forward towards new, successful business creation for a greater majority of Puerto Rican/Latino New Yorkers.

RECOMMENDATIONS

Create a Puerto Rican/Latino Economic Development Center

■ APRED supports legislation which would amend The Omnibus Economic Development Act to permit the creation of a Puerto Rican/Latino Business Development Center. This entity would render technical assistance as well as forcefully market information to our not-for-profit service providers and private business community on new, upcoming public/private initiatives; monitor as well as develop initiatives around projects through the environmental bond act and economic development zones for statewide contracting opportunities.
Cost: $800,000

INCREASE ACCESS TO CAPITAL

APRED believes that in order to increase the available pool of funds to spur the development of the Puerto Rican/Latino not-for-profit and private business sectors, the Legislature should consider specific initiatives such as:

Puerto Rican/Latino Construction Set-Asides

■ APRED supports legislation which, modeled after New York City's New Homes Program, would set-aside a portion of state funds to allow PR/Latino not-for-profit and for-profit housing developers to fully develop sites for one to two family homes and townhouses, and smaller apartment units.
Cost: $30,000,000

Increase State Bonding Assistance

■ APRED supports legislation which would raise the Job Development Authority's bonding assistance allotment from $500,000 to $1,000,000 to allow PR/Latino joint not-for profit/for-profit ventures to move forward with success, and allow more Puerto Rican/Latino construction firms to bid successfully and participate in high cost development projects.
Cost: $500,000

Provide Start-up Loans for Small Business Development

■ APRED supports legislation which, in order to more adequately assist the creation and development of Puerto Rican/Latino business, would call for the establishment of a loan program within UDC to help small, retail businesses with less than four employees who are organized as small proprietorships and partnerships. Where this is not feasible the definitions and rules governing UDC's High Risk and Revolving Loan programs should be expanded to meet these needs.
Cost: $2,000,000

Expand Working Capital Availability for Small Businesses

■ APRED supports legislation to establish a revolving loan fund with local financial institutions through loan guarantees and agreements with the Urban Development Corporation (UDC), in consideration of the lack of available financing on the local and private level to meet the short term cash needs of small for-profit businesses. To the extent possible, said legislation should encourage the participation of Puerto Rican/Latino banks.
Cost: $1,500,000

Target Marketing and Advertising Efforts

■ APRED supports legislation which would set-aside funds for the development of culturally relevant marketing and advertising campaign, in recognition of the need to reach out to Puerto Rican/Latino businesses to encourage their substantial participation in the state's economic development network. To the greatest extent possible, said legislation should earmark a substantial portion of these funds to the Puerto Rican/Latino Business Development Center.
Cost: $250,000

Develop NPO/Business Sector Joint Ventures

■ APRED supports legislation which would set aside funding for the development of a Comprehensive Employment Initiative between Puerto Rican/Latino not-for-profit organizations who provide employment training and support services, and the Puerto Rican/Latino private business sector to create viable job opportunities for trained Puerto Rican/Latino personnel.
Cost: $350,000

Create Entrepreneurial Education Initiatives

■ APRED supports legislation which would set-aside funding to provide for the collaboration of Puerto Rican/Latino Educational not-for-profit organizations, the Puerto Rican/Latino private business sector, and our community's Junior High, High School and Community Colleges to develop a comprehensive, hands-on program leading to future business creation.
Cost: $2,500,000

Set-Aside Funding for Puerto Rican/Latina Business Development

■ APRED supports legislation which would set aside funds to support the creation of new business ventures by Puerto Rican and Latina women. APRED believes that such an initiative would contribute towards encouraging Entrepreneurial Development as a career option for young Puerto Rican/Latina women.
Cost: $1.5 million

ELDERLY

"47% Percent of Puerto Rican/Latino Elderly 60 years or over, are living below or in marginal poverty."

POLICY STATEMENT

The Puerto Rican/Latino elderly are a particularly vulnerable population, subject to discrimination on several fronts. Besides their age, minority status, and poor health, the significantly lower economic status of the Puerto Rican/Latino elderly seriously limits their ability to survive, let alone live with dignity in this City.

APRED believes that it is incumbent on government to increase its responsiveness to the needs of the Puerto Rican and Latino elderly. Furthermore, it is critical that the service requirements of this grossly underserved population be met by the expansion, stabilization and institutionalization of existing programs, and the additional development of programs for the Latino elderly that are Latino-sponsored and community-based. Bilingual/bicultural staff must be required and available in all direct service agencies and government institutions who service our elderly. These required language standards would help to address the serious underutilization of available benefits and entitlements that our elderly need but cannot access due to language barriers. Adequate SSI income levels for the Puerto Rican/Latino elderly must be assured, given the extent of poverty likely to result from an insufficient work income history and therefore, lack of access to social security and/or pension benefits.

APRED is shocked and distressed by the significantly low levels of utilization of services as well as, entitlements by the Puerto Rican/Latino elderly. Funding for major outreach efforts utilizing the media and other public education activities in Spanish, are essential in order to deal with this serious lack of information in the Puerto Rican\Latino elderly community. Our elderly will respond when adequately informed of rights, available benefits, entitlements, and other public service programs. This has been demonstrated through their heavy demand and utilization of existing culturally relevant bilingual programs.

The State Office of the Aging must continue to play a major role in creating targeted efforts to meet the special needs as well as, integrate Puerto Ricans/Latinos at all levels of policy and program development. It must work in partnership with existing community based organizations and leadership in order to meet this challenge.

Efforts must be geared towards improving conditions for the elderly. These include areas such as income security, health, housing, nutrition, home care, pre and post retirement counseling, and unemployment services for elders who are of pre-retirement age, or wish to work.

APRED supports the implementation of a single application form to allow for prompt determination of eligibility for available programs and services. A single application form would facilitate access for all elderly to entitlements and benefit programs.

BACKGROUND

Poverty rates are particularly high at both ends of the life cycle for Puerto Rican/Latinos. Notwithstanding the obvious differences between childhood and old age, these two periods of life share an important characteristic, they are both non-working periods. The lack of sufficient income available to children as well as the elderly accounts for their parallel economic status. In the age category 60 years or over, 47.1% of the Latino elderly are living below or at the margin of the poverty level. The Latino elderly, marginally employed during their physically productive years in low paying jobs, are for the most part without adequate retirement benefits and health coverage. Therefore, they must depend on government benefits to ensure their economic and physical survival.

The Supplemental Security Income Program (SSI) assures an income floor for the elderly poor, visually impaired, and disabled. In New York State, approximately 378,000 individuals currently receive SSI benefits. It is estimated that 86% live in non-institutional settings, and of these about 60% live alone. There are three eligibility categories: 1) "Living Alone"; a person living alone or a couple, which pays for expenses incurred for food, clothing and shelter; 2) "Living With Others"; a person or couple who lives with someone else and pays his/her pro-rata share of the expenses; and, 3) "Living in the Household of Another"; a person who lives with another but does not pay his/her pro-rata share of the expenses.

In New York State, approximately one half of all SSI recipients are elderly. Despite a 40 million dollar increase in the State portion of SSI during the last legislative session, individuals in the "living alone" and "living with others" categories still have to survive on incomes far below the federal poverty level. In 1989, New York State's poor elderly, disabled, and visually impaired residents (classified as "Living Alone") will receive SSI benefits that leave them 10% below the federal poverty level.

Categories, such as these, further aggravate the problems faced by the Latino elderly. Basing the award amount on unreasonable and arbitrary categories that penalize living arrangements with extended family, and which do not take into account the lack of available and affordable housing, are not equitable and are unduly burdensome on our elderly.

New York State's contribution to SSI income has continually failed to keep up with the rising cost of living. New York ranks seventh in the amount of SSI benefits given to those living alone. The decline in the real value of the State aid portion, clearly points to the need for the State to institute an annual SSI cost of living adjustment.

The housing emergency in New York is particularly acute for the Latino elderly. Vacancy rates for rental housing approximate less than two percent. Waiting lists for Public Housing number in the hundreds of thousands, while the annual turnover rate is only three percent. Approximately, 30% of the elderly poor live in substandard, deteriorating housing. Twenty-five to thirty percent of all elderly cannot afford adequate shelter. To further compound the problem, many Puerto Rican/Latino elderly are part of the "hidden homeless" population, now estimated at over 100,000 families doubled and tripled up in single housing units.

Adequate provision of health care to the Puerto Rican/Latino elderly is critical in order to mitigate the damage incurred as a result of severe lack of medical attention over the years. Further, health care institutions have an obligation to provide quality and effective services in a manner cognizant of the cultural patterns, folk medicine traditions, and belief systems of the Puerto Rican/Latino elderly. Comprehensive community based geriatrics programs are needed to provide a continuum of health and mental health services to the elderly. Community based programs of this nature would facilitate access to care, eliminating the difficulties of transportation to a health care facility outside of their neighborhood setting.

The Puerto Rican/Latino elderly are the fastest growing segment of the aged population. Therefore, there is a concomitant increase in the need for long term care. Long term care covers skilled, intermediate and custodial nursing home care as well as other care options, such as; home health care, hospice care, and community support services. These services should be locally based and provide the full array of in-home supportive services including, home-delivered meals and home-maker services. There is also a corresponding need to expand nursing home capacity for those unable to be cared for at home. These services must be culturally and linguistically syntonic.

Inadequate nutrition and malnutrition is a chronic problem among the poor. In acknowledgement of federal funding inadequacies, the State instituted the Supplemental Nutrition Assistance Program (SNAP), which provides meals to frail and homebound elderly. While recognizing the State's initiative in this area, funding for this program is paltry in comparison to the obvious need. According to the New York State Department of Health Nutrition Surveillance Report on the health status of the elderly participating in the SNAP program, 68% of the minority participants lived below the poverty level, and only 13% of the group received food stamps. This evidences a serious lack of access knowledge on the part of those most in need.

Alienation from participation in available programs is due in part, to the failure of state agencies to properly inform the Latino elderly of available options and services. Programs are largely inaccessible to Puerto Rican/Latino elderly because of linguistic barriers, lack of

knowledge as to the eligibility requirements of the services, the application process, and a cumbersome and culturally alien delivery system. In the interest of providing adequate and necessary health, housing, home care, nutrition, and income benefits to the elderly, APRED supports the leadership of the New York State Office for Aging in securing the use of a single application form. This innovation would allow for prompt determination of eligibility status for any of the panoply of available services. It would expedite the application process and allow for an improved service delivery system for the elderly. This reform in combination with the utilization and expansion of available culturally and linguistically relevant community based programming, would have a significant effect on the improving the quality of life of our elderly.

RECOMMENDATIONS

Increase State Allocations to SSI and Ensure COLA

- APRED recommends that SSI be raised to 105% of the poverty level instead of the present 91%. This requires that the State's allotment to SSI be indexed at a rate that keeps pace with increases in the cost of living for all SSI categories, including; the aged, blind, and disabled. In addition, the category of "living with others" should be eliminated to be consistent with federal guidelines, and reduce the state supplement by no more than one third for those in the "living in the household of another" category.
- APRED recommends that the Legislature make provision for increasing SSI benefits so that recipients are lifted beyond the poverty level through a two-year phase-in program.

Cost: $130 million (over two years)
$1 million (targeted outreach for SSI)

Ensure Equitable Rent Formula For Elderly

- APRED recommends that the State Legislature develop an equitable rent formula to protect the interests of elderly on low and fixed incomes from the impact of paying disproportionate and increasingly high rents.

Cost: None

Tenant Protection

- APRED recommends that the State Legislature institutionalize guarantees to elderly tenants, who currently occupy subsidized or rent controlled housing, to ensure that they do not lose the benefit of previous rent increase exemptions if their dwellings are reclassified as rent stabilized.

Cost: None

Expand State Responsibility In Housing For The Elderly

■ APRED recommends that the Legislature targets subsidized housing for poor, low income, and the disabled elderly, and that it allocate a percentage of revenue from the Housing Trust Fund for a housing subsidy program for the elderly.

Cost: Allocation from existing Trust Fund

Increase Latino Representation in the State office of Aging

■ APRED recommends that the State Office Of Aging follow State affirmative action requirements and hire additional Puerto Rican/Latino staff particularly at policy-making levels, to ensure that the Latino community is represented adequately in decision making. Increased numbers in service level jobs, will also move towards better service delivery to the Puerto Rican/Latino community.

Cost: None

Strengthen Latino Community Based Infrastructure to Service Latino Elderly

■ APRED recommends that the Legislature target funding to increase services to the Latino elderly by establishing and/or expanding community based culturally and linguistically relevant programs and services. This sound initiative, will increase access and, therefore, utilization of entitlements and other services by our elderly.

Cost: $2 million

Remove Barriers to Entitlements and Service for the Elderly

■ APRED recommends that the State Office Of Aging continue their efforts to secure a single application form for determining eligibility to services for the elderly. This would facilitate access to benefits for all elderly, and in particular, the Latino elderly who traditionally underutilize services.

Cost: None

Increase Nutrition Assistance

■ APRED recommends that the New York State Legislature increase funding for the Supplemental Nutrition Assistance Program (SNAP), as well as target monies aimed specifically at outreach to expand minority elderly participation in the program.

Cost: $5 million for SNAP

$500,000 for Community Based Outreach Efforts

Legislation to Improve Medical Access to the Elderly

■ APRED recommends that legislation be enacted that would require physicians licensed under the State of New York Education Law, with agreements to treat Medicare Beneficiaries, to charge only at maximum, the assigned rate determined by the United States Secretary of Health and Human Services. Any physician charging in excess of these rates, would be subject to fines by the Department of Health. In addition, monies charged in excess of the established rates, would be returned to the patient. The passage of this legislation would give seniors greater access to physician care.

Cost: None

HEALTH/MENTAL HEALTH

"The Puerto Rican child learns at an early age that his role in relationship to most social institutions differs from that of other children; he learns that members of his ethnic group are likely to live in the least desirable sections of town and are subject to inadequate housing, schooling, and health facilities..."

POLICY STATEMENT

APRED believes that it is in the area of mental and physical health that the Puerto Rican and Latino community in New York faces one of the most pressing challenges to its continued existence, growth, and prosperity. The rapidly increasing numbers of Latinos who have fallen victim to displacement from psychiatric facilities, who are unable to access qualified medical attention, and are continually exposed to physical and emotional torment, for some, from the first moments of life, is a cruel test for our community in its struggle to survive. The inability of our current health and mental health systems to deal with these very real needs has problem a crisis rapidly spiraling out of control in our community.

APRED believes that the current crisis confronting New York's health care infrastructure has dire consequences for all its residents. Our society is collective failure to appropriately distribute its health care resources has created a two-tier service delivery system, where the economically disadvantaged, particularly Puerto Rican and Latino patients, must go begging for appropriate care and treatment. Current and past policies indicate a serious lack of the foresight needed to plan for a system which is able to give care to anyone who requires it. Such a goal must form the basis of a sound state policy.

APRED believes that Puerto Rican/Latino community based organizations continue to be shortchanged with respect to the allocation of resources to meet our community's health and mental health care needs. Community based service providers express hesitance in taking advantage of the state's reallocation of resources to local communities to treat the mentally ill, due to the financial disincentives involved in the state's contracting and development process. These practices in effect discriminate against the replication and/or expansion of successful bilingual/bicultural programs sponsored by Latino non-profit organizations that are smaller and less capitalized than traditional providers. In cases where community based organizations are willing to build new facilities, the lack of information and technical assistance necessary to negotiate coordinated funding streams for capital and operating costs have acted to discourage such initiatives.

In order to position our community so that it can begin to receive its "fair share" allocation of these resources, funds should be set aside for the creation of competent technical assistance programs to help existing and newly created institutions penetrate and actively network different state funding streams to fully capitalize successful initiatives. APRED supports the creation of a special fund within each appropriate state agency with the express purpose of targeting state resources in a comprehensive effort to meet community health and mental health needs through institution building.

These initiatives would also serve to meet the significant demand for programs tailored to special needs populations (homeless, victims of domestic violence, substance abusers) that represent a growing part of those in need of mental and health services. Finally, a significant portion of these funds should be dedicated to the creation of community based preventive services, which will ensure the most important part of a holistic, comprehensive approach to local health and mental health care.

To this end, APRED calls upon the state to focus its efforts towards eliminating the gross inequity in the distribution of health care resources by eliminating the financial barriers to health care access, as well as supporting the start-up, growth, and expansion of locally based primary and preventive mental and physical health facilities and programs. Similarly, APRED encourages the state to strongly support local efforts to deliver needed care in a culturally sensitive environment. To achieve this, a strong partnership must be forged between the state, its health care and not-for-profit institutions to attract and retain greater numbers of bilingual, bicultural personnel, at all levels, to strengthen service delivery and build a lasting bridge towards sustained physical and mental health in our community.

BACKGROUND

Research studies have long documented the correlations between the low socio-economic status of Puerto Rican and Latino New Yorkers, the lack of affordable housing and essential services, with the stresses leading to high levels of mental disorder and deteriorating physical health. Since the publication of its landmark study on health status in the Puerto Rican community in 1978, the Hispanic Research Center at Fordham University has published several monographs which validate these findings. Similarly, APRED's Legislative Task Force on Mental Health/Health Issues, convened in the Fall of 1988, heard testimony from its participants which accurately identified a population that is growing sicker geometrically in proportion to the many quality of life issues affecting our community.

The collective experience of our Puerto Rican/Latino service providers in both the physical and mental health fields indicates a system which is clearly unprepared to deal with the massive challenges that lie ahead.

APRED believes that one of the most significant problems facing the Puerto Rican/Latino organizational community is the paucity of recent studies showing the extent of need and the nature of the problem. Few, if any studies, have focused on the way existing mental health services impact on our community. The experience has been that by and large, Puerto Ricans/Latinos do not avail themselves of existing services, even when they are made aware of their eligibility for service. Client and case reviews reveal that this is due to multiple factors. However, only targeted research efforts, developed in concert with our community's experts in the field, will produce the findings conducive to effective change.

Similarly, the lack of clearly defined outreach programs targeted to local communities in helping patients negotiate the out-patient versus in-patient service system often results in a high level of underutilization by Puerto Ricans/Latinos. In addition, the state's move to deinstitutionalize its mentally ill patients out of existing in-patient facilities into local communities, has exacerbated the situation for Latinos, as our difficulty in accessing needed out-patient services has resulted in patients not getting the care they need. There is a clear mandate for orientation programs to help Puerto Rican/Latino individuals and families overcome these difficulties and access the care to which they are legally and morally entitled.

The severe lack of trained bilingual/bicultural professional staff at all health/mental health facilities throughout the state has created a crisis in the quality of care for those using the system as well as a disincentive for those needing care but not successfully accessing the system. Our community is rapidly losing its confidence in a system, which by neglect or omission, has not placed sufficient personnel to administer and deliver needed services in a culturally relevant and sensitive manner which encourages utilization.

Notwithstanding this effort, the state must make a greater commitment to serving its Puerto Rican/Latino patients by sensitizing its program and service staff to the special needs and concerns of our client community. There are no training programs in place which serve to educate professionals and support staff alike as to Latino cultural norms, values, and standards. In this context, training programs designed to fill this gap should be initiated as soon as possible, with bilingual/bicultural staff leading the instruction. To insure maximum participation and effectiveness, these programs should be made mandatory, and tied to an institution's reimbursement levels so as to involve all necessary personnel.

Other issues, however, remain. Existing community health care facilities have been severely compromised in their operations due to on-going budget cuts at both the state and federal level. However, this fact alone does not wholly explain their problems in delivering quality care to local communities. Clients suffering from multiple afflictions present special problems in terms of meeting the costs of their care, as reimbursement practices generally do not make allowances for higher compensation to provide required treatment. In this scenario, community health centers are often faced with the dilemma of providing care to very ill patients who can neither afford the cost, and for whom government funding streams refuse to be responsible. The result of this practice manifests itself in institutions delivering a steadily

declining quality of care and increasing deficits. Rather than seek to correct this situation, state agency practices have led to the closing of existing institutions.

Reimbursement mechanisms should be revamped to allow for greater levels of compensation for institutions working with medically indigent as well as multiply afflicted patients requiring greater levels and concentrations of care. This reform, in turn, would give local community based service providers the financial health necessary to target fresh resources to an aggressive outreach campaign aimed at increasing utilization levels through informing community residents of new, bilingual/bicultural service offerings.

These findings are corroborated by an increasing number of health care officials and advocates who grow alarmingly concerned with the state of our health care infrastructure. In its report released in 1987, The Commission on the Year 2000 calls for a complete reorganization of New York City's health care delivery system, with particular attention to the reimbursement of costs incurred for treating the medically indigent, as well as the support of more community based health care facilities which should provide the bulk of preventive, ambulatory and out-patient health care. Through its series of investigative articles on New York City's Municipal Hospitals, New York Newsday has chronicled a situation where those most in need of psychiatric care must often go without it for days at a time. Most important, those institutions covered were located in districts where a large portion of the patients affected were low-income Puerto Rican/ Latino New Yorkers.

RECOMMENDATIONS

Expand Institutional Development Efforts in Mental Health

■ APRED supports a special legislative initiative to fund the development of new, innovative out-patient bilingual/bi-cultural service programs to meet the demand for these in New York City. In order to more fully assure the programmatic success of these new initiatives, existing, successful out-patient models should serve as "brokers" and provide the technical assistance which these developing agencies will require in their first years of operation. This will assure that state dollars used to create local, community-based infrastructure have the greatest chance of success by drawing on the proven track records of the Puerto Rican and Latino organizational community.
Cost: $5 million

Enhance Staff Training Programs

■ APRED supports legislation to provide additional funding to existing community based service programs to serve as training centers for the attraction and retention of qualified bilingual, bi-cultural staff. Where necessary, community based service providers should also

receive additional compensation in order to send their employees for additional training deemed essential to their continued high-level performance.
Cost: $2 million

Target Research Funds

■ APRED supports legislation that would provide research funds at the state level towards a documented needs analysis of our existing service providers' client population. Such a research effort should focus on the creation of databases which will reflect the current service capacity of our organizational community, its service approaches, and the changes necessary to promote greater effectiveness and direction in program as well as the apportionment of new resources within our community.
Cost: $500,000

Reinforce Linkages with Other Institutions

■ APRED supports legislation that would provide for linkage agreements between community based service providers and health care institutions (e.g. hospitals) that call for "admitting privileges" for doctors and other health care professionals working in community based organizations referring patients for in-patient services. Such agreements should be enforceable by state administrative regulation, and include among its protection a verifiable evaluatory process by which compliance can be measured.
Cost: None

Improve Employee Compensation Programs

■ APRED supports legislation calling for the establishment of pension benefits for employees of community based organizations doing business with New York State. Such a measure should include the necessary administrative revisions to allow for these costs to be absorbed in higher fringe benefit allowances alloted by the respective funding agencies.
Cost: $30 million

Increase Access to Health Insurance for the Working Poor

■ APRED supports legislation which would further revise state Medicaid eligibility requirements to conform with Federal poverty guidelines. Despite passage of the Family Access to Health Care Act by the State Legislature in the 1987-88 Legislative Session, a substantial number of New York's families still do not have access to any affordable insurance coverage.
Cost: $6.5 million

■ APRED supports legislation which would fund an aggressive outreach campaign to inform approximately 200,000 residents of their eligibility under the new law.

Cost: $1.5 million

■ APRED supports legislation calling for the adoption of a statewide insurance program patterned after the programs similarly enacted by the State of Washington and the Commonwealth of Massachusetts for low-income families whose earnings make them ineligible for Medicaid, but who nevertheless cannot afford private health insurance.

Cost: To be determined

Revamp Funding Mechanisms Supporting Community Health Centers

■ APRED supports legislation that calls for more equitable levels of compensation to these institutions, as well as those working with multiply-afflicted patients who require greater concentrations of care. Current state funding mechanisms supporting Community Health Centers in our neighborhoods often discriminate against institutions serving large numbers of medically indigent patients. Finally, funding streams should include sufficient compensation to provide for on-going evaluation to assure the highest standards of care.

Cost: $8 million

HIGHER EDUCATION

"In New York, only 4.1% of the students enrolled in institutions of higher learning are Latino."

POLICY STATEMENT

APRED believes that the blatant disparity in the level of educational attainment between Puerto Ricans/Latino and their white counterparts, is directly attributable to the lack of commitment on the part of government and educational institutions to afford our community full participation at all levels of decision making in policy and resource allocation.

The crisis in education starts very early in the Puerto Rican/Latino community. Often, as early as the first day of school when our children are confronted with overcrowded and intolerable conditions within which they are expected to learn. Many do not make it through the seventh grade. Others try to struggle through high school but, in our case, most do not. For those who graduate, Higher Education is often not presented and therefore, not considered an option. It would be reasonable to expect, however, that for those Puerto Rican/Latino students who have survived the obstacle course called "primary and secondary public education", there would be greater outreach and more receptivity on the part of the Higher Educational System to afford them every opportunity for access and advancement.

However, this has not been the case. Puerto Ricans/Latinos are barely part of the Higher Education System. To compound the problem, recent threats to further cut SUNY and CUNY will work to effectively close the door of opportunity for Puerto Ricans/Latinos as students, faculty, and administrators. The negative impact this will have on the future of Puerto Ricans/Latinos as a growing and developing community in this State, is significant.

APRED believes that there must be a major effort to recruit Puerto Rican/Latino students to City and State Universities. However, SUNY and CUNY centralized recruitment efforts are not effective in bringing Latino students to Higher Education. Therefore, colleges and universities, particularly those that offer programs targeted to Latinos, should be funded to directly recruit students. Utilizing outreach methods that are culturally relevant and more community/campus oriented, these colleges will start to increase the dangerously low numbers of Latino students in the Higher Education system.

Puerto Rican/Latino students must have increased access to adequate amounts of financial aid in order to go to college. APRED supports a sliding scale of aid for students whose family in-

come exceeds the existing state limit and who would otherwise be ineligible for the Tuition Assistance Program (TAP). In addition, there must be increased aid for students whose income falls below $10,000.

APRED calls for a change in reimbursement formulas that discriminate against, and discourage recruitment of students who may require remedial course work. Currently, funding is determined by the number of students multiplied by the number of credits per semester, rather than contact hours. Remedial courses do not qualify for full credits, although they account for a large number of contact hours. This arbitrary difference, for the purpose of reimbursement, between contact hours and course credits, creates significant hardship for colleges that service students who require remedial courses. It also discourages other colleges from recruiting these students. While the funding formula may appear to be "color blind", in effect it perpetuates a discriminatory practice that adversely affects Latino students who are often disproportionately in greater need of remedial services than the general population.

Latino students are currently disproportionately concentrated in the community rather than the senior colleges. APRED believes that the Higher Education System needs to encourage many more junior college graduates to enter senior colleges to achieve their baccalaureate degree. However, there are serious system barriers that result in a pattern of discrimination against community college transfer students. Double proficiency testing within the same system, loss of credits, and other adverse admission practices work to the detriment of the Latino transfer student.

APRED is concerned about the over representation of Puerto Rican/Latino teaching professionals in the adjunct faculty category of most colleges and universities. APRED fundamentally questions this practice as these positions are tenuous and offer no real or permanent integration of our teaching professionals into the Higher Education system.

BACKGROUND

Puerto Ricans/Latinos have made limited progress toward full participation in higher education. In 1988, of all Latinos nationwide, only 8.6% have completed four years of college or more. In comparison , 20.5% of Whites had completed four years of college or more. The disparity in levels of educational attainment further increases at the graduate and professional school level, with Latino(a)s currently representing 2% on the graduate school level, and 1% at the professional school level. Patterns of minority student enrollment, appear to be holding steady in most institutions with very few reporting increases in minority enrollment. In New York, only 4.1% of the students enrolled in institutions of higher education are Latino. However, the figures for enrollment do not represent the number of students that actually graduate. Although no significant data exists from which to make more exact assertions, there are several factors that seem to contribute to the low numbers of Puerto Rican/Latino who graduate: failure to receive non-campus based financial aid, infrequent teacher/student inter-

action, alienation from the college and campus lifestyles, limited academic pre-college preparation, limited information as to college options and programs, and lack of comprehensive support services aimed at student retention.

Significant economic burdens exist for Puerto Rican/Latino students who are facing decreasing government financial aid. They must increasingly rely on student loans to finance their college education. Colleges and universities are also facing decreasing budgets which affects their ability to provide institutional student aid. In a recently published study, A Call for Clarity: Income, Loans, Cost, the results of limited financial aid and the shift to burdening students and families for the cost of an education, were shown to disproportionately affect Puerto Rican/Latino student enrollment. The study indicated that dependent individuals from families with incomes under $20,000, were less likely to enroll in college in 1982 than they had been in 1978. While those from families with incomes above $20,000 had increased enrollments in the same period. From 1978 to 1982, the number of students from families with incomes under $10,000 enrolling in college for the first time, decreased by 16.8 percent. Families with incomes between $10,000 and $20,000 experienced a decrease in first time enrollment of 8.6%, with Latinos experiencing the greatest decrease of 21.1 percent.

These numbers indicate that there must be a significant increase in aid to students with incomes of $10,000 or less, if this population is going have any opportunity for a college education. In addition, extension of aid should be available for students who have not been able to complete their senior college work within the prescribed ten semester limit for TAP and Pell grants.

Latino access to institutions of higher learning is directly affected by recruitment methods and efforts. Information as to college options, the design and demands of the higher education system, the costs and the benefits of pursuing their educational and career goals must be made available to Latino students as early as the high school level. Recruitment and outreach models specifically targeting this student population must be developed and made available system wide. Direct community outreach efforts, although often prohibitive in cost, are effective in targeting Latino students for admissions.

Community colleges have been traditionally viewed as the educational conduit through which students unable to attend four year colleges were given the opportunity to access higher education, and upward economic mobility. However, this entry point has also become a point of stagnation for many students. Administrative barriers have resulted in widespread patterns of discrimination on the basis of admission practices, credit transfers, and the administration of proficiency examinations. Community colleges by virtue of their historical place in educating those typically displaced by more competitive and elitist four year colleges and universities, deal with a population of students often in need of remedial and support services. Therefore, it is important that students have equal access to two and four year colleges. Students opting to attend community colleges cannot be barred by exclusionary transfer policies that result in frustration and disillusionment. Credit parity and equity between two and four year institutions in the State and City University System must be developed to ensure that students are not submitted to differential treatment solely on the basis of college choice within the system.

Institutions within the City and State University System rely on a formula where funding is determined by the number of students multiplied by the number of credits that the individual has per semester (Full Time Equivalent Student). Students in need of remedial course work will register for classes that account for less credit hours but more contact hours. These remedial classes require that the institution expend additional monies for faculty and other services that are not fully reimbursed.

During the civil rights movement, Lyndon Johnson called for the integration of higher education and expanded opportunities for minorities. Over twenty years later, this call remains largely unanswered. With the advent of the Bakke decision, which barred use of quota systems and the limited enforcement of civil rights laws under the Reagan administration, affirmative action has become "negative action" at attempting to achieve equal opportunity and access for qualified Puerto Ricans/Latinos at all levels. Affirmative action and recruitment in higher education, must encompass training and recruitment for positions in the teaching profession as well as in management and administration.

According to recent figures issued by the Office for Civil Rights, Hispanics constitute 1.5% of all faculty and just 1.1 % of all tenured faculty. A contributing factor to the dearth of Puerto Rican/Latino faculty, is the perpetuation of the myth that there are too few minority candidates available for too few positions, and that the few possess unexceptional credentials for the highly credentialed world of higher education. Reliance on "traditional" indicators of performance, arbitrarily employed hiring criteria, and prejudice have resulted in the limited number of Latino faculty in higher education.

Information on the involvement and performance of minority students is not systematically compiled by ethnicity. Therefore, no reliable data as to where our students go or what they achieve within the system is available. No information is compiled as to the number of students that graduate and the degree conferred, enrollment by community or senior college, financial aid awarded, or dropout rates.

RECOMMENDATIONS

Mandate Public Access to Data on Puerto Rican/Latino Students

■ APRED urges the Legislature to appropriate additional funding to the SUNY and CUNY systems to provide access, on an annual basis, to data on the Puerto Rican/Latino student population to adequately determine the condition as well as monitor their advancement within the State University system. Currently, no access exists to this important information. The data should reflect the following:

1. enrollment by community /senior college
2. undergraduate/graduate enrollment
3. financial aid award
4. drop out rate

5. degrees conferred
6. applicant pool by ethnicity
7. actual enrollment in the CUNY/SUNY system
8. enrollment in special programs

Data should be provided as to the geographic origin of the students, their socio-economic background, their home language, and other relevant information.
Cost: $250,000

Increase Outreach and Decentralized Recruitment Efforts

■ APRED supports legislation which would make additional funds available and mandate the SUNY and CUNY systems to grant sufficient resources and authority to local institutions to design and develop their own culturally relevant and effective outreach and recruitment programs to target Puerto Rican/Latino students for admission.
Cost: $350,000

Revise Reimbursement Formulas

■ APRED supports legislation which would dramatically change state reimbursement formulas for higher education in order to fully compensate local colleges and universities for providing remedial education and support services to students who require them. Said legislation should authorize additional funding to provide the necessary financial support to all participating institutions
Cost: $8 million

Reform Course Credit Transfer Requirements

■ APRED recommends that the SUNY and CUNY systems develop credit parity between schools in the system to guarantee that students transferring from a two year institution to a four year college do not encounter a loss of earned credit upon transfer within the system.
Cost: None

Revise Entrance Examination Procedures

■ APRED recommends that the SUNY/CUNY system institutionalize the administration of one proficiency examination per student.
Cost: $50,000

Revise Financial Aid Guidelines

■ APRED recommends that the Legislature appropriate funding to provide for a sliding scale of financial aid to provide monetary support to students who fall outside of the existing financial guidelines for federal and state aid. In addition, the ten semester aid limit must be reconsidered and adjusted in order to support Puerto Rican/Latino students through the completion of study.
Cost: $5 million

Institute Additional Financial Aid Support

■ APRED supports legislation authorizing additional funds to provide increased financial aid to students attending CUNY and SUNY institutions whose incomes fall below $10,000 per annum. This legislation represents a critical step forward towards providing the necessary financial support to Puerto Rican/Latino students to ensure their successful graduation.
Cost: $10 million

Implement Comprehensive Support Services For Student Retention

■ APRED recommends that funds be provided for comprehensive support services to Puerto Rican/Latino college students that are at risk of dropping out. These services should be provided through a collaborative program between Latino community based organizations and institutions of higher education.
Cost: 1 million (for four colleges.

Increase Levels of Minority Faculty and Staff

■ APRED recommends that the Legislature appropriate additional funding to the SUNY and CUNY systems to develop a comprehensive plan to recruit and hire Puerto Rican/Latino faculty and staff in various academic disciplines, and counseling and administrative areas.
Cost: $5 million

HOUSING

"In 1987, 31 percent of New York's tenants spent more than 40% of their income on rent..."

POLICY STATEMENT

APRED considers the housing crisis faced by the Puerto Rican/Latino community of New York among the highest priorities for legislative action. The continuing presence of homeless persons on New York City's streets, the warehousing of increasing numbers of children and families in decrepit, scandal-ridden hotels, and the doubling up of over 100,000 families into already over-burdened housing units, is a tragedy which stands unparalled in recent memory for New Yorkers.

Puerto Ricans have been part of this City since the late nineteenth century. With a major migration taking place after World War II, population grew significantly. Today over 1.2 million Puerto Ricans and close to 2.3 million Latinos reside in this City. Unfortunately, for a great many of them, New York in 1989, reflects more than ever a "tale of two cities."

In contrast to Dickens' London, however, the have-nots have become almost exclusively Latinos and African Americans. The distribution of housing resources in this City mirrors this unfortunate indictment. Where economic status and political clout are the overriding determinants in real estate, housing development, and distribution, rather than need and public responsibility, the poor and underrepresented are consistently the vanquished. The fundamental right to shelter must be a critical part of the social compact between our communities and government. For government to disavow this right, dangerously divides this city even further along racial, ethnic and class lines.

In this context, it is clear that the only viable solution to the state's critical housing need is an unshakable and determined public commitment to the development of large numbers of quality, affordable permanent housing units for poor, low, and moderate income families. The "challenge" to the State has been responded to, in part, by the Governor's Housing Task Force.

APRED agrees with the Task Forces' conclusion that the State's "Five Billion Dollar Housing Delivery System" is too fragmented and laden with bureaucracy. A comprehensive State Housing Policy must be developed that will ensure a more efficient and swift housing production system. A reorganization and improved coordination of the various state housing programs as well as, the establishment of a representative State Housing Council are important steps in this effort to further assess need and plan strategically. However, in addition to

that, the creation of real partnerships among the public, private, and the minority not-for-profit sectors are of critical importance.

The Puerto Rican/Latino community based housing network must become an integral partner in any new, major capital development initiatives through substantial and meaningful participation in planning, development, management, and ownership. Neighborhood Preservation Companies must continue to command state support, and at increased levels, in order to serve community residents, who must be kept aware of their rights and helped to avoid homelessness or needless displacement. Similarly, the State must become more vigilant in its efforts to ensure that Puerto Rican/Latino developers and construction firms are given their fair share of contracts being awarded to private firms engaged in current State programs to build affordable housing.

APRED also believes that the State must commit itself to instituting a rental subsidy program patterned after the already successful SCRIE and Federal Section (8) programs. Guaranteed rental subsidies must be available to new housing development projects in the amounts necessary to make them financially feasible, for the long term as well as, accessible to poor and low income families. APRED is also supportive of comprehensive community development efforts, aimed at economic integration through the development of single family homes and townhouses for residents of moderate to middle income means. However, the production of new economically integrated housing must be coupled with major production of low income housing, and the preservation of existing units. Only in this way will it become a meaningful housing strategy producing long term benefits for the Puerto Rican/Latino community.

Puerto Rican/Latino tenants continue to face housing discrimination and effectively have no access to legal counsel to defend their rights in Housing Court. APRED condemns the discriminatory evictions, the lack of adequate bilingual personnel as well as, the amazing dearth of Latino judges in the Housing Court system. APRED calls upon the State to investigate the apparent systemic inequities in the Housing Court. APRED believes that tenants under these circumstances must have a right to counsel. Currently they do not. The New York City Housing Court Advisory Council, must as well, do a much better job of making sure that there are more Latino judges. In addition, monetary proceeds from the collection of civil penalties for Housing Court violations must be designated to improve the Court's management and administration.

BACKGROUND

The Puerto Rican and Latino community's difficulties in accessing the housing it requires stems from multiple factors. Discrimination in the form of misleading apartment vacancy notices, unfair treatment by agents and brokers alike, and collusion between the real estate industry and property owners to keep Puerto Ricans and Latinos out of certain neighborhoods are major obstacles.

Access to housing is inextricably tied to income. Puerto Rican income to expense ratio presents the most formidable obstacle. The percentage of income Puerto Rican/Latinos spend on housing is much too high when contrasted to the total amount of dollars available to meet these costs. In 1987, Puerto Rican median family income in New York City was slightly over $10,000 per annum, as compared with over $16,000 for white families in the same area. According to New York City's Housing and Vacancy Report for the same year, median rents (those between 300 and 600 per month) rose 43% during the preceding three year period. At the same time, there was a corresponding decrease of 55% in the number of vacant apartments renting below $300 per month. These shifts impact most dramatically on Puerto Rican/Latino tenants. Notably, the New York City Housing Authority has officially acknowledged that over 100,000 families (The Hidden Homeless) are living doubled and tripled up in their apartments for lack of available, affordable living quarters.

Perhaps the most significant factor arguing against Puerto Rican/Latino participation in New York City's Ten Year Housing rebuilding program is the determination of eligibility based on incomes that exclude the great majority of our families from benefitting from this program. Currently, rebuilding programs targeted towards the rehabilitation of In-rem and City-owned multiple dwelling units have established family annual income ceilings that rise as high as $50,000. Nevertheless, minimum annual income eligibility standards cut off participation at approximately $15,000 which is far above median family income of approximately $10,000 for Puerto Rican/Latino families. It is clear that short of the adoption of a major subsidy program to make up this difference, this new City effort will have little impact in meeting our community housing needs.

The correlation established between income, housing availability and ownership, has had its most dramatic impact on our community in its effect on our individual and collective asset base. Puerto Rican home ownership is almost non-existent at a rate of 10% as opposed to White and African American home ownership at 38% and 27% respectively. Without the creation of a strong and vital asset base, Puerto Ricans and Latinos will not achieve the stability essential to create sound community revitalization efforts. The Nehemiah Plan implemented in Brooklyn, and the recent Housing Plan put forth by the South Bronx Churches, provide two excellent examples of how home ownership can be realized at more affordable costs.

Neighborhood Preservation Companies are underfunded and in danger of losing their capacity to deliver essential services. More, not less must be given to those organizations who must wage a daily battle for survival, but who nevertheless have tremendous responsibility in the administration and coordination of significant development projects.

It is estimated that over 81% of Latinos were not represented by attorneys in Housing Court proceedings. Close to 70% of all Latino cases involved Latinas with children. Since its inception in 1973, Housing Court has had little impact on the prevention of deterioration of housing stock or the prevention of homelessness. Less than ten percent of all civil penalties for violations have been collected. However, over one million warrants of eviction have been issued.

RECOMMENDATIONS

Restore Infrastructure Trust Fund

■ APRED supports the restoration of $326 million dollars to the Infrastructure Trust Fund to be used for the creation of low and moderate income housing development in fiscal year 1989-1990.

Cost: $326 million

Create State Housing Council

■ APRED supports legislation to create a State Housing Council, one of the key recommendations made by the Governor's Housing Task Force in its December 1988 report. Such a Council however, must include representatives from the non-profit minority housing development community, in order to further assess need, ensure a coherent State Housing Policy, and develop comprehensive, targeted strategies for new housing production and preservation.

Cost: $500,000

Revise the Definition Income Eligibility for State Assisted Housing Programs

■ APRED supports legislation that would define income eligibility for state assisted housing programs to be 80% of median family income in the State of New York. In addition, to make these units affordable to the greatest number of low-income families earning less than this income standard, a special provision should be made to apply additional state rental subsidies as necessary to assure the financial viability of new developments.

Cost: $5 million

Prevent Eviction of Public Assistance Recipients

■ APRED supports legislation which would grant additional funding and authority to the New York State Department of Social Services to pay rent arrears, on behalf of public assistance recipients in emergency situations, in amounts exceeding the established shelter allowance. Such legislation would provide for a two party check system and an annual lease agreement at current levels to prevent future homelessness.
Cost: $2 million

Limit Rent Hikes/Extend and Increase Rent Subsidies

■ APRED recommends that the Legislature, following the success of the SCRIE model for senior citizens, call for cap on rent increases to economically disadvantaged tenants occupying apartments under the jurisdiction of Rent Control/Rent Stabilization Laws. The corresponding drop in income should be made up through a State rent subsidy program similar to the Federal Section (8) program under the Federal Housing Law, or through tax abatements as currently financed in the SCRIE program.

Cost: $10 million

Expand the Official Definition of the "Homeless" Population

■ APRED supports the enactment of legislation to establish an official definition of the state's homeless population that would include families now doubled up in Public and private housing to allow these families access to both state and local housing assistance programs. Legislation should mandate local government acceptance of this State definition as a precondition to the receipt of State Aid for housing, and other local supports.

Cost: None

Increase Funding for Neighborhood Preservation-Eliminate Cap

■ APRED supports the elimination of the funding cap and the authorization of increased levels of funding for the continued support and expansion of Neighborhood Preservation Companies (NPC). In order to enhance program revenues and assist communities in their struggle to maintain quality, affordable housing stock, NPCs should be given additional funding and technical assistance to operate in building management (as Article 7A administrators), code enforcement (as New York City Housing Preservation and Development Collection Agents) and in housing development.

Cost: $8 million

■ APRED supports the enactment of legislation to authorize community based organizations acting as HPD Collection Agents to enforce Housing Court sanctions against property owners, allowing these organizations to use accumulating funds from accruing rental payments (up to the amount of the Court-imposed fine) to make emergency repairs, should this work not be completed within thirty days of such an action. Accordingly, these organizations should be held immune from future collection of these funds from any person or entity.

Cost: None

Mandate New York City Housing Court Reform

■ APRED recommends State intervention and action in Housing Court reform. Housing Court proceeds should pay for the management and administration of the Court's affairs, as well as its expansion to truly meet its designated responsibilities. APRED supports the enactment of legislation mandating the right to counsel for all indigent persons appearing in Housing Court, and the authorization of additional funds to provide such attorneys and court interpreters when necessary. Furthermore, state housing authorities must move to ensure appointment of Latino representatives to the New York City Housing Court Advisory Council, and the eventual nomination of qualified Latino candidates to the bench.

Cost: $5 million

Increase Puerto Rican/Latino Home Ownership

■ APRED recommends that along the lines of the Nehemiah Plan and the proposal recently submitted to the City of New York by the South Bronx Churches, legislation should be drafted calling for a set-aside of state funds to allow Puerto Rican/Latino for-profit and not-for-profit developers to fully develop preselected sites across the state for the building of affordable one and two family homes and townhouses, to be marketed heavily to the Puerto Rican/Latino community.

Cost: $30,000,000 (See Economic Development/Employment Section where APRED calls for PR/Latino Construction Set-Asides)

INCOME SECURITY

"40% of the Puerto Rican Community in New York live in poverty...
70% of one million Latinos who live in poverty are Puerto Rican."

POLICY STATEMENT

APRED believes that the Puerto Rican and Latino community has the right as well as the capacity to effectively participate in this state's economy at all levels, and to earn an income sufficient to meet the needs of its children and families. Latinos as workers and consumers, as well as business owners and employees, now play and will continue to play an increasingly important role in the partnership between the public and private sectors that propel our economy. To eventually be full participants in this state's economy, however, Latinos must press government to take responsibility and ensure equal opportunity, and a just and equitable quality of life for all families and groups to share in the prosperity and wealth of this state.

For Puerto Ricans/Latinos, equality of opportunity has not been the case. Federal, state, and local government statistics continue to point to the low socio-economic status of Puerto Ricans and Latinos which has substantially worsened over the last ten years. More often than not, the discussion over income security has focused narrowly on the income maintenance system and the current level of the public assistance benefit. However, for Latinos it must be broader and encompass more comprehensive measures for our real growth and development as a community. To attempt to provide a credible solution to issues surrounding income security in our community solely through the public assistance system is demeaning, and demonstrates a lack of commitment to significant remedy and system change.

Income security must, by definition, include an examination of the issues of minimum wage and comparable pay. It is a nationally recognized fact that an individual working at the minimum wage today earns an income below the Federal poverty standard. This individual and family, in almost all cases, have no access whatsoever to any medical insurance, and stand at considerable risk of illness and disease due to the lack of preventive medical attention.

Similarly, Puerto Ricans/Latinos cannot fully participate in this state's economy because of the differences in pay for work of equal worth among different populations. APRED believes that the state must be committed to ensuring equal participation in the economy by raising the minimum wage to recover lost spending power, adopting a statewide medical insurance pool affordable to those who need it, and enacting a comparable pay statute that would mandate equal pay for equal work.

Integration into the economic mainstream of this state by the Puerto Rican/Latino community is the only sensible solution to our dilemma of poverty and marginalization. APRED is deeply disturbed by the Governor's recent proposal to cut state funding for Medicaid services, curtailing what many New Yorkers consider to be an indispensable social support. APRED believes that government has a practical and a moral obligation to provide Puerto Rican/Latinos with those support services, including opportunities for job training, education, and employment, as well as truly available and qualified health care, that will truly promote self-sufficiency, family stability, and emancipation from the income maintenance rolls. Similarly, in order for these programs to be effective, child care services must be a vital part of a comprehensive approach designed to meet individual family needs. English language training and bilingual/bicultural options must be made available in order to make these programs culturally relevant and truly successful.

BACKGROUND

Poverty among Puerto Ricans is greater than among other Latinos, and significantly greater than it is among African Americans and Whites. Today, Puerto Ricans account for over 70% of the one million Latinos living in poverty in New York City. Median family income for Puerto Ricans, according to local government sources, stands at $10,784, as opposed to $16,488 for other Latinos. When coupled with a labor force participation rate of 40.2%, and an employment rate of 17.5%, a straightforward conclusion can be drawn as to why our community is at the very bottom of New York City's class structure.

Similarly, there is a great deal of evidence to support the contention that the meager public assistance benefit available to families and children has been a contributing factor to homelessness and other serious problems associated with substandard income. According to federal and state government statistics, New York's public assistance grant has fallen from 110.1% of the federal poverty line (in 1975) to less that 65% of official poverty in (1985). The resultant loss of income has vastly increased the number of families housed by the New York City Human Resources Administration (HRA) by over 500% during the same period. When one considers that 95% of all homeless families are Latino or African American, and over 50% are children (with a majority under age five), it is readily apparent that our income maintenance system has failed to help our families maintain even a level of survival that approaches dignity and self-sufficiency.

Finally, the minimum wage has remained at $3.35 an hour since 1981, and has lost approximately thirty 30% of its purchasing power in the last seven years. Recent federal efforts aimed at raising the minimum wage have raised much protest from the business community, amid fears that an increase would lead to the elimination of certain jobs, or a two-tiered wage system for workers under eighteen (18) years of age, and everyone else.

APRED believes that notwithstanding this opposition, the state must press forward to adopt

a higher minimum wage as an incentive to improve productivity in the state's increasingly dependent service economy, as well as provide for a higher standard of living for workers. In addition, a statewide insurance pool must be created to service New Yorkers who cannot afford private medical insurance.

RECOMMENDATIONS

Increase Minimum Wage

■ APRED supports legislation calling for an immediate increase in the minimum wage to $5.00 per hour, thereafter indexed to meet cost of living increases. APRED believes that passage of this measure is essential to maintaining a more decent standard of living for low-income wage earners, and would be a first step in stemming the rise of homelessness, malnutrition, and other societal ills.
Cost: None

Increase Access to Health Insurance for the Working Poor

■ APRED supports legislation that would restore state funding and covered services for the Medicaid program recently cut from the Governor's proposed 1989-90 Executive Budget.
Cost: $310 million

■ APRED supports legislation which would further revise state Medicaid eligibility requirements to conform with Federal poverty guidelines. Despite passage of the Family Access to Health Care Act by the State Legislature in the 1987-88 Legislative Session, a substantial number of New York's families still do not have access to any affordable insurance coverage.
Cost: $6.5 million

■ APRED supports legislation which would fund an aggressive outreach campaign to inform approximately 200,000 residents of their eligibility under the new law.
Cost: $1.5 million

■ APRED calls for the adoption of a statewide insurance program patterned after the programs similarly enacted by the State of Washington and the Commonwealth of Massachusetts to provide access to medical coverage for the working poor who cannot afford private insurance or qualify for Medicaid.
Cost: To be determined (See APRED's section on Mental Health/Health for corresponding recommendations)

Enhance Fairness/Ensure Adequate Training Opportunities

■ APRED supports a change in state policy which would allow public assistance recipients to take four year college and two year college liberal arts courses as exemptions from WIN and EOP work requirements regarding training prerequisites for continued benefit eligibility
Cost: None

Increase Public Assistance Benefit

■ APRED supports the Governor's proposal to increase the public assistance basic grant. However, APRED supports legislation that will dramatically increase the basic public assistance grant above the level recommended in the Executive Budget to an income standard in line with the Federal poverty level. APRED believes that this increase is an essential step forward towards providing those requiring assistance the means to maintain a more decent quality of life.
Cost: $115 Million (In fiscal year 1989-90; thereafter increasing to $345 million by fiscal year 1991-92)

Institute a Supplemental Clothing Grant

■ APRED supports legislation calling for the provision of a one-time non-recurring clothing grant of $50.00 per person for all children and families receiving AFDC and Home Relief benefits. APRED believes that such a grant will help families cope more effectively with the loss of their food stamp benefits caused by last increase in the shelter allowance grant.
Cost: $25 million (with additional $25 million funded by local governments.)

Mandate and Enforce Sanctions Against Local "Churning" of Public Assistance Cases

■ APRED supports legislation which would more vigorously enforce already existing state regulations concerning document verification, determination of eligibility, and closing of public assistance benefit cases by local government agencies. APRED believes state sanctions, both programmatic and fiscal, are required to prevent public assistance recipients from having their cases closed, and benefits terminated, due to "administrative reasons" that up costing local and state government much more money that could otherwise be redirected towards benefit provision. Such a measure would be a first step in preventing the closure of approximately two-thirds of the entire 840,000 caseload of the New York City Human Resources Administration, and allow eligible children and families the ability to depend on a regular income to maintain a more decent standard of living.
Cost: $200,000

INSTITUTIONAL & COMMUNITY DEVELOPMENT

"Each year, the state spends approximately one (1) billion dollars in contracts with the not-for-profit sector... Puerto Rican/Latino community based organizations... receive less than five percent (5%) of the total amount awarded."

POLICY STATEMENT

Throughout the past decade, the Puerto Rican/Latino community has witnessed a frightening erosion of the quality of life of its children and families. During the same period, the country, and in particular New York State, enjoyed the largest growth of its economy since the beginning of the Post-War period. Despite this fact, today the Puerto Rican/Latino community finds itself expending great effort protecting what little, if any, economic and political gains remain from the era of the "Great Society". In essence, we have been held to a "no-growth" position, while other groups have forged ahead to realize prosperity on our socio-economic landscape.

APRED believes that changing demographic patterns, coupled with a growing sense of the need for greater political and economic participation, are leading the way towards the development of a new consensus within our community. This consensus is re-examining our relationship with government, and its concurrent responsibility to reorganize and allocate the necessary resources to meet the multiple needs and challenges which now confront Puerto Rican and Latino New Yorkers.

Over the next several years, New York State and its municipalities will spend over fifty (50) billion dollars to rehabilitate crumbling housing, health care, education, and transportation infrastructures. APRED is firm in its conviction that the Puerto Rican/Latino community must have a meaningful voice in the decisions made, and a vital role in the work performed, to "rehabilitate" New York. Similarly, it has an equal responsibility to demand that government provide the necessary resources, through a bond issue if necessary, to "rehabilitate" our human and community based services infrastructure.

APRED believes that creating sound, respected, and effective organizational infrastructures is key to the development of any community. The Puerto Rican and Latino community has been among the hardest hit by the collapse of education, employment, and health care institutions and the growing inability to meet increased demands for service. Existing community based organizations must be supported and expanded, on an unprecedented scale, to begin to deal with the multiple crises that now disproportionately affect our communities. Such an ef-

fort can only move forward through the inclusion of the Puerto Rican/Latino community organizations as fully participating members of the state's human service delivery system with their "fair share" of the state's human services budget.

In areas where no locally-based organizations exist to meet the demand for needed services, government has a practical, if not moral, obligation to play a critical role in providing the resources to create and establish them.

APRED believes that the Puerto Rican/Latino community must play a role as a catalyst for fundamental change in the way government is organized to assess needs and provide services to communities. Far from the confines of the state's annual budget process, state agencies must possess the capacity, as well as the will, to collectively coordinate resources and expertise, to target joint efforts to communities in need.

Only through a multi-disciplinary and inter agency approach, which combines agency specific funding streams to form a collaborative and comprehensive community services strategy, will government be able to meet the increased demands for services. This partnership can only exist, however, through the frank and earnest interchange between government and our community, which must promote a true consensus on the actions necessary to implement truly effective strategies that beyond meeting human service needs, argue for successful community development.

BACKGROUND

Each year, the state spends approximately one (1) billion dollars in contracts with the not-for-profit sector to provide an array of human services for our society's most needy residents. All too often, however, Puerto Rican and Latino community based organizations who provide essential services to families and children with the greatest needs receive less than five percent (5%) of the total amount awarded.

In addition, an evergrowing trend substantiated by current data and reports, demonstrates that entire underprivileged communities remain underserved and traumatized by poverty. This quandary is not faced by New York State alone. The measured ineffectiveness of government sponsored and created social service delivery systems is a national phenomenon which appropriately calls the question to be more fully addressed.

Government, however, must be willing not only to reassess its role as it relates to serving human needs, but also needs to be more creative in developing strategies to strengthen its neglected neighborhoods.

In far too many New York neighborhoods, particularly in Puerto Rican/Latino communities, human service needs are high, but the number of available programs cannot adequately meet

those needs. Even more poignant, is the fact that in too many of these areas programs are virtually non-existent.

Historically, government has not made a practice of fully considering the human and cultural resources of a community in developing programs to stabilize and improve life in a particularly depressed area. Clearly, the creation of a sound and productive organizational base is key too the successful development of any community. It is also the most fundamental ingredient required to change and enhance the quality of life a community offers to its residents. Current state policy and practices fail to strengthen communities and their locally-based organizations. Among the more common denominators in state practices which disqualify smaller community-based organizations are cash flow issues and bureaucratic procedures in the dissemination of contracts. Needless to say, these practices by the state tend to favor larger, more affluent service providers.

Consequently, many Puerto Rican/Latino and other minority communities are prejudiced by state policy, and remain neglected and underserved despite a seemingly adequate influx of dollars generated by the state to address social problems. Ironically, it is in these same communities that there exists the necessary level of talent and human resources for that community to be the best possible direct service providers for those communities. It is this partnership between state government and undercapitalized/underserved communities which needs to be established in order for local infrastructure building for program development to take place.

The creation of a **Statewide Service Gap Fund** would make that partnership possible. The fund would create linkages between state government and local communities that are severely underserved and where gaps in service are at crisis levels.

Current contracting policies and procedures make it inordinately difficult for small, minority community based organizations to deal with the state in the provision of vital services. Delays in the processing and approval of contracts and payment vouchers have caused several organizations to go out of business.

The Governor's recently appointed Interagency Task Force on Contracts has taken a necessary first step forward towards revising contracting and payment procedures to ensure greater cashflow and timely approvals for community based organizations. However, APRED believes that the needs of Puerto Rican and Latino community can be best served by the addition of a **Revolving Loan Fund**, financed by state dollars, to assure a steady supply of cash to smaller service providers whose activities quite literally involve "life and death" issues.

Reform of the state's contracting procedures is only one tool in the drive to revitalize our communities. During the next ten years, it is estimated that the State and City of New York will spend over $50 billion dollars in the rehabilitation of its transportation, environmental, educational, health care and housing infrastructures. Such an investment will be directly responsible for the creation of hundreds of thousands of jobs, and the start-up and growth of a substantial number of new and existing businesses. Most important, it will greatly facilitate the economic and political empowerment of a significant part of our larger community.

Nevertheless, no vehicle currently exists which has, or will ensure the Puerto Rican and Latino community's participation in this process. Affirmative Action statutes and programs have failed to make significant in-roads in bringing minority employees into government. Likewise, state agencies have continued to put up obstacles to their compilation and release of information relating to their contracting, if any, with Puerto Rican and Latino private and not-for-profit entities to provide goods and services.

The availability of this information is vital to the development of a comprehensive action plan aimed at increasing Puerto Rican and Latino access to the numerous economic development programs offered by the state, as well as those dollars available to fund critically needed human service components. APRED believes that the administration of the State and City effort to rebuild our infrastructure will be an important test of our government's commitment to fostering equal opportunity and access to all.

Comprehensive community development, finally, is the sum of all these component parts. Only when Puerto Rican and Latino residents and other people of color possess the means to make their voices heard, and their needs addressed by sound public policy, will all of us move to building a society free of racial tensions and economic antagonists. In view of the alternatives, this would appear the most practical, pragmatic approach for all concerned.

RECOMMENDATIONS

Create State Agency-Wide Service Gap Fund

■ APRED recommends that legislation be enacted calling for the immediate creation of a State Agency-Wide Service Gap Fund that would assist in the creation of community based institutional infrastructures where gaps in service and expertise exist, or where they are needed to complement on-going economic development initiatives to provide the necessary supports to community residents

Cost: $1.5 million

(See APRED's section on Children & Families for similar recommendation).

Create Revolving Loan Fund for Community Based Organizations

■ APRED supports the enactment of legislation calling for the establishment of a Revolving Loan Fund for Community Based Organizations which would make short terms loans at below market interest rates to Latino and other minority community based service providers that do not have sufficient cash flow to advance financing for their operations before contracts are completed with the state and reimbursements received.

Cost: $2 million

Design and Implement Effective Affirmative Action Programs

■ APRED supports the enactment of legislation calling for an independent evaluation of the state's Affirmative Action policies and programs to identify barriers faced by Puerto Ricans, Latinos, and other minorities in obtaining state employment and contracting opportunities. APRED recommends appropriate legislative and administrative action to support the compilation of this data by the Office of Minority and Women's Business Development, and calls for the expansion of its mandate to include contracting data between state agencies and community based not-for-profit organizations.

Cost: $500,000

■ APRED supports the enactment of legislation and administrative statute which will make information relative to the awarding of contracts to Puerto Rican and Latino private businesses and not-for-profit service providers be made available on request to the general public. APRED believes that this information should be forwarded directly to the Governor's Office of Hispanic Affairs, and that this office, in conjunction with the Puerto Rican/Latino private and not-for-profit business community, jointly devise an action plan designed to increase access to government programs and services.

Cost: $50,000

Institutionalize State Contracting Reform

■ APRED supports the enactment of legislation which would implement, with the force of law, the recommendations concerning state contracting with not-for-profit organizations currently put forth by the Governor's Interagency Task Force on Contracts, such as: a) Standard Contracts, b) Renewable/Multi-year Contracts, c) Fifth Quarter Financing.

Cost: None

RACIAL JUSTICE

"An unjust law is a code that majority inflicts on a minority that is not binding on itself. That is difference made legal. On the other hand, a just law is a code that a majority compels a minority to follow that it is willing to follow itself. This is sameness made legal."

Martin Luther King, Jr., "Letter from a Birmingham Jail," 1963.

POLICY STATEMENT

The move towards racial tolerance of the 1960's has been eroded by a retreat to political conservatism, attacks on affirmative action, and a lack of commitment on the part of institutions developed to guard against infringements on the civil rights of minorities, women, and the poor. The Kerner Commission Report (President Johnson's National Advisory Commission on Civil Disorders) set forth a series of recommendations that envisioned a social order which would allow for equal opportunity for non-Whites, the poor, and the disenfranchised. However, there has been little progress in the development and implementation of policies, consistent with the recommendations set forth by the Kerner Commission Report, that will allow for peaceful and productive coexistence in this society.

Notably, the Kerner Commission concluded that, "Our nation is moving toward two societies, one black, one white - separate and unequal". It further stated that "Discrimination and segregation have long permeated much of American life." The situation twenty years later continues to be one where pervasive discrimination and segregation in housing, employment, and education result in the exclusion of Puerto Rican/Latinos, African-Americans, and other people of color from full participation.

APRED believes that racist policies and practices, which have resulted in the institutionalization of barriers, have negatively affected the level of Puerto Rican/Latino participation in education and employment. There also continues to be a further segregation of communities in New York. The post Kerner Commission period has been one that sanctions continued racial disharmony, the economic marginalization of workers, and the "ghettoization" of urban centers. The political environment today is one that virtually condones bias related violence as a physical manifestation of continued segregation, and the perpetuation of intolerant racial prejudices. Attention again must be directed to the socio-political economic empowerment of the Puerto Rican/Latino community as a means of discontinuing the further polarization of this state.

APRED supports the appointment of a Special Prosecutor, empowered to investigate and prosecute incidents of violence motivated by racial and other bias, in cases where the local

Prosecutor is unable to proceed with impartiality and a swift thorough investigation is compromised. However, the ability to prosecute must be coupled with the adoption of stronger criminal and civil statutes, designed to effectively demonstrate our society's intolerance of racial prejudice in all its forms.

To this end, APRED believes that education, an important means by which a society fosters and imparts cultural values to its young, is a viable and effective method of fostering racial/ethnic/religious/tolerance. APRED supports the development and implementation of an anti-bias curriculum in public schools throughout the state that shares a historical perspective on race relations in the United States, provides the framework for the celebration of diversity, creates the opportunity for dialogue, and fosters understanding amongst the different socio-economic, racial, and ethnic groups present in our society. The establishment of the Martin Lurther King Jr. Institute, in its recognition of the value of educating the youth of this State in the methodology of non-violent direct action, represents an important step forward in the recognition of this fact, and in the need for a sustained commitment to the substance of Dr. King's "Dream". In this way, APRED believes that government must play a critical role in supporting the creation and maintenance of an "informed vigilance" against racial prejudice and discrimination amongst all of its residents, which can only lead to a more stable, secure, peaceful and prosperous New York.

BACKGROUND

Bias related violence has had a long and tragic history in the United States and New York. According to the Governor's Task Force on Bias Related Violence, "despite the widespread inability for police agency officials to specify the incidence of bias crime in the state, evidence suggests that it is widespread in the state." Similarly, according to the Latino Coalition for Racial Justice, there continues to be a consistent pattern of racially motivated attacks against Puerto Rican/Latinos in New York by civilians as well as the police. The number of attacks have continued, with the emergence of a pattern of inaction and silence that cumulatively results in a denial of justice to the victims of racially motivated violence.

Police response to racially motivated attacks is often one of inaction, manifested in a failure by the police to fully investigate and prosecute the individuals responsible for the attacks. Furthermore, while the Police Department is the first line of official intervention in cases involving a bias related problem, response in many cases is not supportive to the individual's allegations that he/she was the victim of a bias related crime. Several instances have occurred where Puerto Rican/Latino victims of racial violence were further harassed by the police. Rather than contributing to the moderation of racial tension, this behavior further aggravates possible social conflict.

A dual standard of law enforcement, based solely on race or ethnic origin, is conducive to the perception of a lack of urgency and importance to bias related violence affecting the Puerto

Rican/Latino community. The perception, left unabated by objective evaluation and action, has resulted in a separate and unequal reality for those victimized by either private citizens or the police. To ensure effective and timely response to cases of bias related violence, and to deter the influence of personal prejudices, an enforcement and monitoring mechanism must be established. The basic elements of an effective system are the ability to file a complaint without excessive formality, with the complaining party being fully appraised of the investigation's outcome, as well as the results being made fully accessible to the public.

In cases where the local prosecuting attorney has not been able to effectively prosecute a case involving racial bias, the appointment of a Special Prosecutor, qualified in terms of prosecutorial ability and past experience in such cases, is a critical step forward towards restoring integrity and public confidence in the law and its ability to render true justice. Concurrent with the development of an effective and comprehensive response to bias related violence, criminal and civil legislation must be enacted to allow for the imposition of increased criminal sanctions and civil penalties. APRED supports the Paterson Bill, which increases criminal sanctions and civil penalties for bias related violence.

One of our society's major social institutions is the school. The school system is a means by which beliefs about democracy, pluralism and tolerance are transmitted, as well as the basic knowledge and skills necessary for survival. As stated in the Governor's Task Force on Bias Related Violence, "The physical segregation of diverse groups is both a cause and a mirror of social, cultural, and economic divisions.....Direct exposure to another cultural background, another way of organizing and dealing with the complexities of life, is especially necessary in a society in which the dominant culture is commercially manufactured and presented as universal." It is incumbent on educators and the educational system to foster racial/ethnic tolerance by the implementation of an anti-bias curriculum that deals with both the historic and contemporary race relations in this country. The process by which the curriculum is developed and implemented must be a shared process which involves the local school community of parents, teachers, administrators, community and religious leaders.

RECOMMENDATIONS

Pass the Anti-Bias Crime Law

- APRED strongly supports and urges the Legislature to pass the Paterson Anti-Bias Crime law, which would amend the Penal Law and increase criminal sanctions for specifically defined impermissible acts of racial and ethnic bias-related violence and related offense and increases penalties for those convicted of crimes under the law.

Cost: None

■ APRED recommends that the Legislature amend the State Human Rights Law to permit the victims of violent racial/bias related crime to recover reasonable attorney's fees and litigation costs.
Cost: None

Develop and Implement a State-Wide Bias Prevention Program

■ APRED supports legislation which would implement a state-wide uniform reporting system. This system would report, identify and classify incidences of bias related crime. This data base would facilitate the evaluation of the effectiveness of the law enforcement response. APRED believes implementation of such a system concurs with the Governor's Anti-Bias Task Force's recommendation that the state must make a serious effort to develop a preventive approach to bias related crime in our state. This legislation should also mandate that this information be made available to the public on demand.
Cost: $1.5 million

■ APRED supports legislation which would provide funding to increase its outreach efforts to encourage reporting of incidences of bias related crime in order for the state-wide reporting system to be effective.
Cost: $500,000

Strengthen Existing Enforcement and Monitoring Mechanism

■ APRED supports legislation that will create viable enforcement and monitoring mechanisms for bias-related offenses. Victims of bias related crimes will be more inclined to report a crime if they believe that the criminal justice system will be fair and act effectively to investigate and prosecute a crime. State government should call upon local prosecutors to set new policies which would guarantee a more expeditious procedure in the prosecution of bias related cases committed by both civilians and police officers,as well as create procedures to establish greater access of departmental resources and information to victims, their families and communities.
Cost: None

Appoint Special Prosecutor

■ APRED supports legislation that allows for the appointment of a Special Prosecutor when local prosecuting authorities demonstrate inability to handle bias cases effectively, particularly when they involve investigations of police conduct or other law-enforcement authorities. This legislation should mandate that the appointment must be contingent upon specific background and qualifications in this area..
Cost: None

Implement of State-Wide On-Going Anti-Bias Curriculum in Schools

■ APRED supports legislation which would require the State Board of Regents to develop and implement an on-going anti-bias curriculum at all levels of the public and independent school system. This legislation should require the input of the local Puerto Rican/Latino and minority educational leadership in the development of a culturally and historically appropriate course of study, which provides the framework for the celebration of diversity, and the opportunity for dialogue and understanding between all the different socio-economic, racial, and ethnic groups present in our society.

Cost: $1.5 million

SUBSTANCE ABUSE

"While Latinos represent 9.5% of the state's population, they constitute at least 20% of all substance abusers in the state, and 21% of admissions into substance abuse programs."

POLICY STATEMENT

Unemployment and poverty, illiteracy and discrimination in our community, have played a significant role in the increasing reliance on drugs and alcohol as a panacea for dealing with these societal ills. As the call for better schools, more jobs and adequate housing has gone virtually unheeded, so has the demand for the prevention and treatment of drug abuse in our community. The serious implications posed by these problems threaten to further isolate a significant population of this society economically, socially, and psychologically.

The lack of Puerto Rican/Latino community based drug prevention and treatment programs is staggering. Government must direct more of its support to locally controlled initiatives designed to make services immediately available, relevant and accountable to the community. Licensing procedures and the lack of coordination among government agencies in planning and allocating resources is yet another barrier to the expeditious delivery of services. In order for the government to effectively address the crisis of substance abuse, accessible methadone and drug free treatment must be made available on demand, and on a twenty four (24) hour basis.

The horror of drug abuse is further exacerbated by the continued spread of AIDS and its disproportionate increase in minority community. Major efforts at the community level must inform, educate, and provide immediate assistance to those under the influence of drugs as well as loved ones who are so adversely affected by its destructive influence. The extent and impact of drug abuse, particularly "crack" use, in the Puerto Rican and Latino community is not yet clearly understood. Although it is obvious that drug dependence is at a crisis stage in our community, reliable data that assesses real need that, can be utilized to develop and/or validate existing prevention and treatment modalities and methods, is unavailable. To this end research efforts must be fully funded and oriented to produce more effective strategies that encourage multi-disciplinary approaches in their implementation.

The Anti-Drug Abuse Council recently created by Governor Cuomo is a necessary first step toward focusing the state on a more coordinated approach to effectively marshal state resources in the battle against substance abuse. However, this Council must include representatives

from the treatment community. APRED believes that it is essential that the Puerto Rican/Latino treatment community be represented on this Council.

BACKGROUND

Available statistics suggest that intravenous drug use is not only the most prevalent means of abuse, but the most far reaching in its effects on the individual user, the family, and children. While Puerto Ricans/Latinos comprise 9.5 percent of the State's population, they constitute at least 20 percent of substance abusers in the state, and 21 percent of admissions into substance abuse programs. Substance abuse is clearly disproportionately affecting the Latino community.

The New York State Division of Substance Abuse Services (DSAS) estimates that there are approximately 200,000 intravenous drug users in New York City alone. Surveys also indicate that 193,000 children aged 11 and younger have at least one intravenous drug using parent. Among the persons most at risk of HIV infection are intravenous drug users who share contaminated needles, syringes, bulbs and cookers, and engage in unprotected sexual activity, thereby increasing the probability of transmission during child birth. Approximately 100,000 New York State women who themselves are not IV drug users are the regular sex partners of intravenous drug users. More than 81 percent of heterosexual transmission cases of AIDS in the State involve transmission from a male intravenous drug user to a non-drug using female partner. Seventy seven percent of pediatric AIDS cases statewide are the children of intravenous drug users.

Notwithstanding the figures cited above, there is little reliable data as to the extent of the problem of substance abuse in the Puerto Rican/Latino community. Therefore, insufficient consideration is given to the prevention and treatment needs in particular geographies. Any research must be sensitive to the cultural plurality of the Latino community, and should be done in collaboration with community based organizations in order to gather information and develop effective strategies.

The danger of drug addiction and the prevalence of AIDS among intravenous drug users has led to an increase in the number of substance abusers seeking treatment. Due to the lack of community based programs providing treatment to Puerto Rican/Latino substance abusers, the existing system is unable to effectively meet this increasing demand. The existing 47,000 slots in the statewide treatment system serve only 15 to 20 percent of the total addict population. Waiting lists for admission into drug-free therapeutic communities, detoxification centers and methadone clinics, according to latest DSAS statistics, have increased nearly threefold from June, 1986, to approximately 2000 in June, 1987.

Since 1981, the New York City Department of Health surveillance data has been reflecting an increase in non-AIDS deaths from pneumonia, tuberculosis and bacteria sepsis, among in-

travenous drug users. Therefore, comprehensive community based programs must provide primary medical care of substance abusers suffering from AIDS and related conditions. The establishment of comprehensive treatment centers providing long term care to the multiply diagnosed client is negatively impacted by cumbersome governmental licensing procedures which require various inter- agency involvement and approvals which impede the establishment of programs offering treatment and primary medical care.

There has been an increase in the use of non opiate drugs --cocaine, crack, and barbiturates. Cocaine use is on the rise, by injection, snorting and smoking. Studies have shown that in comparison to heroin, needle sharing with cocaine has a higher correlation to HIV infection due to the frequency of injection.

Use of the drug "crack" increases physiological damage to the body, but also increases the risk of HIV infection because of unsafe sexual practices associated with prostitution, behavior often engaged in as a means to acquire the drug.

It should also be noted that there is a connection between intravenous drug use and dependency on alcohol. The Division of Alcoholism and Alcohol Abuse (DAAA) estimates that approximately 25-30 percent of their New York City population in treatment had a history of intravenous drug use. Their sexual partners, who are for the most part women, are at risk, as are their unborn children.

Drug abuse and its link to criminal activity is well documented. A study conducted by the State Division of Substance Abuse Services (DSAS) found that among people arrested for serious crimes, 69% of the women and 56% of the men were using illegal drugs. Of the total Puerto Rican and Latino inmate population, more than 70% were arrested for drug related offenses. Long prison sentences for possession or sale of small quantities of illegal drugs is a costly and ineffective means of dealing with criminal activity and drug abuse in our community. Recent legislation which allows for imposition of serious sanctions for possession of 500 milligrams of "crack", will only increase prison overcrowding and further aggravate the lack of drug treatment options available to substance abusers who enter the Criminal Justice System.

Substance abuse is an intergenerational problem affecting men, women and children. There are an estimated 467,000 children of substance abusing parents in New York State. Children raised in homes where parents are abusing drugs are more likely to abuse drugs themselves. These children are at a high risk for child abuse and neglect, learning disabilities and emotional problems. Substance abuse is a family problem which must be dealt with through primary prevention for school aged children and adolescents through schools and community based programs.

Women are also affected by substance abuse. These women, predominantly poor and of color, must deal with the physical and emotional effects of drug abuse as well as the problems of everyday survival. AIDS related to substance abuse is disproportionately affecting African American and Latina women. Today Latinas comprise 32% or 712 of all female AIDS cases. By 1991, projections indicate that this figure will have quadrupled to at least 3,000 Latinas with

AIDS. In New York City, recent seroprevalence data show that one in every 79 women giving birth is infected with the HIV virus. If these patterns continue unabated, it is clear that AIDS related to substance abuse will soon become the leading cause of death among all New York City women of childbearing age.

RECOMMENDATIONS

Increase Funding to Maintain Current Services

■ APRED supports the revision of reimbursement levels that will make additional funds available to substance abuse treatment and prevention programs to absorb the added costs brought about by the explosion of the Crack and AIDS crises over the last two years and maintain current levels of service.

Cost: $4.5 million

Significantly Expand Drug Abuse Treatment

■ APRED supports the continued expansion of residential and non-residential treatment services, both drug free and methadone. APRED welcomes as a beginning the Governor's proposal to increase treatment slots within the next year. Unfortunately 5,500 new treatment slots will meet only a fraction of the true need. There must be a major effort to ensure that treatment is available on demand. Therefore, APRED calls for a comprehensive initiative which would fund an additional 100,000 treatment slots over the next five years.

Cost: $40 million (above the current level of expenditures in Fiscal Year 89-90 up to a maximum of $200. million per annum in Fiscal Year 94-95)

■ Additional funding must be appropriated for site acquisition, capital construction, interior alteration, and furniture, fixture and equipment costs for all new and renovated facilities.

Cost: $50 million

Enhance Treatment for Drug Abusers Within the Criminal Justice System

■ APRED supports the provision of a comprehensive continuum of services within the Criminal Justice System which includes: Identification, diagnosis and treatment of drug abusers; referral; after care treatment, and linkages with the community-based treatment system, for all inmates with drug abuse problems. Specially targeted and bilingual services must be part of this initiative for the Puerto Rican and Latino inmate population.

Cost: $5 million

Expand Action Oriented Data Collection and Research Efforts

■ APRED supports the funding of research efforts to identify the distinct variables that affect the Puerto Rican and Latino community and substance abuse. Further research efforts should include a study to determine needs and identify service gaps in particular communities in order to better allocate available resources to further develop and or create prevention and treatment services.

Cost: $1.5 million

Create Drug Abuse Treatment Centers for Women with Children

■ APRED calls for the enactment of legislation to establish both residential and ambulatory treatment facilities with bilingual/bicultural staff and programs targeted specifically for female substance abusers who are either pregnant or are single mothers with children. Licensing requirements and funding streams must be coordinated between the state and city agencies with jurisdiction over substance abuse treatment and prevention, primary health care, childcare, education and public assistance, to ensure adequate and proper provision of services.

Cost: 3.5 million

Enhance Specialized Services for Drug Abusers with AIDS/HIV Virus

■ APRED supports legislation to fund an additional 50 AIDS Coordinator positions throughout the treatment system to facilitate outreach and awareness concerning AIDS to Puerto Rican and Latino substance abusers within residential treatment programs.

Cost: $1.7 million

■ APRED supports the creation of four additional street outreach and prevention units (distributed evenly between New York City, the Lower Hudson Valley, and Long Island) to bring AIDS education and risk-reduction counselling efforts to Puerto Rican and Latino substance abusers not yet within current residential and/or ambulatory programs.

Cost: $1.5 million

■ APRED supports the establishment of a Special Fund within the Division of Substance Abuse Services (DSAS) to reimburse costs related to the provision of necessary support services, such as child placement and legal services, in cases involving IV drug abusers with AIDS who are in the treatment system.

Cost: $250,000.

(See APRED's section on AIDS for corresponding recommendations)

Expand Membership of the Governor's Anti-Drug Abuse Council

■ APRED supports the expansion of the Governor's recently appointed Anti-Drug Abuse Council, to include members of the treatment community, and in particular, representatives of the Puerto Rican/Latino treatment community. This council should address the development of inter-agency mechanisms to foster a continuum of services and service delivery.

Cost: None

Provide Pre-Natal Services for Adolescent Drug Abusers

■ APRED supports the designation of a Special Fund within the Division of Substance Abuse Services (DSAS) and the Department of Social Services earmarked specifically for the provision of pre-natal care services to pregnant drug abusing adolescents within the residential drug abuse treatment system. It is important that the state establish linkages for inter-agency collaboration on a program such as this.

Cost: $350,000

REVENUE

"We must always remember that the business of government is not to balance budgets... The reason we are here is to meet the needs of the people of New York - all of them..."

Governor Mario M. Cuomo,
"State of the State Address"
January, 1989.

POLICY AND BACKGROUND STATEMENT

APRED believes that the financial challenges now confronting our state portend ominous signs for an already underserved and indigent Puerto Rican and Latino community. More than at any other time in recent memory, our community must be able to call upon the state to target its resources in the face of eight years of federal neglect, and a panorama of social ills ranging from crack use to AIDS that threaten our children and families. The future of this State rests on the decisions made in the Legislature about what is important and what is not. APRED believes that a strong Latino voice must be heard in this process.

On a national level, we have been witness to the havoc caused by an over-emphasis on supply-side economics, where deficits in the federal budget were sought to be brought under control by wholesale spending reductions in domestic programs. Too often, these cuts centered almost directly on those services impacting on our society's most needy. The result has been a general deterioration in the quality of life - most notably, in this State for Latinos and African Americans. .

APRED views the current state deficit, and projected shortfall for FY'89-90 as a serious blow to our communities' well being and development in this State. The Governor has stated New York State has, and will again meet this challenge successfully, as it continues to search for the resources needed to close this gap. APRED believes, nevertheless, that it has a responsibility to express the concerns of the Puerto Rican and Latino community surrounding this critical issue.

APRED urges the state to consider the lessons learned at the federal level, and seek to balance its budget in the short term through raising new revenue, postponing tax cuts, and implementing of management improvements which result in real savings. Such a strategy would encourage our community's continuing efforts to stem the rise of drug abuse, and begin the tortuous struggle to bring our public education system into the arena of educational excellence.

We cannot do it without the State's support and partnership. The Governor and the Legislature must go beyond stated rhetoric, and begin equating resource allocation with the dimension of true need and demand for services in our community. Finally, APRED believes that New York's cultural and racial diversity must be seen as an asset. The human cost of financing the state's deficit through wholesale spending reductions, particularly to Education and the Human Services, is too great - for all of us.

RECOMMENDATIONS

Restore Personal Income Tax Progressivity

■ APRED supports the enactment of legislation which would retain the unearned income surcharge of 2% (on other than capital gains) for households with income over $100,000. Similarly, the state should expand its disallowance of a percentage of federal itemized deductions on state tax returns for those with incomes over $200,000.
Gain: $100 - 150 million

Broaden Corporate Business Tax Base

■ APRED supports the repeal, over a three year period, of the investment tax credit (ITC), which is currently used by only a few firms, and has not met prior expectations.
Gain: $300 million

■ APRED supports the elimination of the interest cost deduction for mergers and acquisitions on state tax returns, and urges the state to seek similar reform at the federal level.

Gain: $40 million

■ APRED supports the revision of the state's corporate minimum tax so that it conforms top the federal corporate minimum tax.
Gain: $10 million

Postpone State Tax Cut

■ APRED supports legislation which would postpone the final two years of the state tax cut enacted in 1986 for a three year period, until FY'92-93, to allow sufficient time to restore revenues to previously anticipated levels.
Gain: $400 million

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